

December 15, 1975

CONGRESSIONAL RECORD — SENATE

S 22145

interested in Senate bill 1479, which many of the contractors seem to feel would provide for an illegal secondary boycott. There have been some direct appeals, I know, to your office on 1479. Have you reviewed the bill? Have you, made any kind of decision as to whether you will veto that bill or let it go by?

The PRESIDENT. About 3 months ago, Secretary of Labor Dunlop appeared before the House and Senate Committees on Education and Welfare, and he testified that if the original so-called situs picketing bill were modified with three amendments—at least two amendments—it would be acceptable.

One of those amendments would provide that before you could have on-site picketing, it would require a 10-day cooling off period.

The second provision that would be mandatory as a part of the bill would be that no local could go on strike under those conditions without having gotten prior approval from the international.

Now, in my opinion, those two added amendments would make the bill acceptable, plus one other factor: There is also a bill that the Secretary of Labor is working on, with both management and labor, which in effect provides that there shall be greater responsibility for both labor and management on strikes and lockouts.

If that second bill comes to the White House with the original bill, plus those two amendments, then I think we have put together, working with management and labor and the Congress, an acceptable solution to this longstanding conflict.

Mr. PERCY. The President made this statement in Milwaukee on August 25, 1975, describing the balanced picture that he wanted in this package.

I wish to read a letter that I recently wrote to Secretary Dunlop.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. JAVITS. Mr. President, I demand the yeas and nays on the conference report.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. PERCY. I ask unanimous consent to have printed in the Record at this point a letter I wrote on September 8 to Secretary Dunlop and a reply that I have received from him this morning, in which the Secretary pledges that, if this measure becomes law, he will monitor it to see that it does not fulfill the concerns and fears that some of us may have.

There being no objection, the letters were ordered to be printed in the Record, as follows:

U.S. SENATE,

Washington, D.C., December 8, 1975.

Hon. JOHN T. DUNLOP,
Secretary of Labor,
Department of Labor Building,
Washington, D.C.

DEAR JOHN: As I am sure you realize, my vote in support of the common situs picketing legislation was in large part the result of our discussion about it. In particular, I share your anticipation that the "Dunlop bill" which was added as a Senate floor amendment will bring greater stability to the industry.

I would like to propose that the Department of Labor make a special effort to monitor and report on this legislation once it is enacted. Many businessmen are predicting a rash of strikes and spiraling labor costs, and are not convinced that the bill and companion legislation will be effective. Hopefully, six to eight months of monitoring will prove your contention correct, that the provision

added to the original concept, with the support of representatives of the construction industry, namely, ten days advance notice and approval by an international or national organization prior to a strike and the Construction Industry Bargaining Committee process itself will actually stabilize labor-management relations in the industry and thus actually reduce spiraling costs in the construction field. Spiraling construction costs have caused a reduction in building and job opportunities and have been self-defeating. Construction industry unions must consider this in their contract negotiations.

If this does not result, then I predict the legislation will be, and should be, repealed.

Sincerely,

CHARLES H. PERCY.

U.S. DEPARTMENT OF LABOR,
Washington, December 15, 1975.

Hon. CHARLES S. PERCY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR PERCY: Thank you for your recent letter regarding HR 5900, Economic Rights of Labor in the Construction Industry, and for your support of this important legislation.

It is, as you know, my considered judgment that the legislation in its present form represents the best practical combination of actions in the overall best interest of the industry and the public. It is also my intent to monitor closely the implementation of the legislation when it is enacted. Indeed, I believe the Collective Bargaining Committee can play a major constructive role in this regard with labor and management working together directly.

The bill does provide for sufficient staff to monitor the progress and direction of the legislation. The gradual phase-in of the situs legislation over more than two years, wisely adopted by the Congress, provides an opportunity for constructive developments.

I do not believe that the passage of the legislation will increase strife or wage inflation. Indeed, I and others in the Administration responsible for dispute settlement, have the judgment that there will be much less strife and more responsible bargaining in this industry. In any event, I am always ready to reassess developments after a reasonable period.

Thank you again.

Sincerely,

JOHN T. DUNLOP.

Mr. BARTLETT. Mr. President, the conference report on H.R. 5900, the common situs picketing bill, represents special interest legislation at its worst.

It has never been established that this legislation is necessary to grant construction unions collective bargaining equality with other unions.

It has been established that this legislation would confer upon construction unions grave new powers; the power to shut down entire construction projects over an isolated dispute between one employer and his employees, the power to deny a worker's right to decide for himself if he is to be represented by a union, and the power to cripple the construction industry through more strikes, longer strikes, and unfair contract demands. In granting these new powers, the Congress would be promising higher costs and increased unemployment in the Nation's largest industry, and would be dealing a serious blow to the Nation's hopes for economic recovery.

I call on my colleagues to take this final opportunity to place the interests

of the Nation above the interests of construction unions, to vote against the conference report on H.R. 5900.

Mr. DOLE. Mr. President, I must cast my vote in opposition to the conference report on the so-called common situs picketing bill, H.R. 5900.

The junior Senator from Kansas must oppose this legislation not because he is opposed to fair treatment of working people. On the contrary, it is my feeling that we should support the reasonable demands of the working people in the construction industry.

However, the clear message I have been receiving from literally thousands of my constituents who have written and called my office regarding this measure during the past several weeks is that this bill goes much beyond fair and reasonable demands.

My primary objection to this legislation is that—viewed in the context of practical labor-management negotiations—it will serve to alter the existing power "balance" between contractors and the building trade unions. With the type of wage settlements commanded by construction workers over the past several years, however, I hardly think we need to tilt the scales of collective bargaining in their favor.

For Department of Labor Statistics show that in cities with populations over 100,000, the average wage for union construction workers is already \$4.10 an hour higher than their industrial counterparts—irrespective of any health, welfare, pension, or vacation benefits otherwise paid by the employer.

Although the sponsors of H.R. 5900 have attempted to portray the measure as effecting "equal" treatment of craft and industrial union members, there is an important distinction to be made between their respective employment situations. At a manufacturing site that is, common picketing is directed against a single management entity which has the ability to negotiate a settlement. At a construction site, on the other hand, pressure could be applied against separate contractors who can do nothing about resolving the dispute.

For this reason, I have opposed the passage of H.R. 5900 throughout its consideration before the Senate.

I opposed the motions to invoke cloture on debate on this bill.

I opposed this legislation on its initial passage in the Senate.

I have written the President, urging him to veto this bill if passed by Congress. Although no final commitment has been announced one way or the other by the White House at this time, I have every reason to believe the ultimate decision will be in accordance with the clear demands of the American people.

I say to my colleagues that a vote against this bill is not a vote against the reasonable needs and demands of workers in the construction industry, for the working people in the construction industry will still be able to bargain collectively for improved working conditions, just as do workers in any other private industry.

Mr. President, I cast my vote in opposition to final passage of this common situs picketing conference report and

S 22146

CONGRESSIONAL RECORD—SENATE

December 15, 1975

urge every Senator who supports a labor-management relationship based on equity to do likewise—to demonstrate to the President that a veto, as difficult and courageous as it may be, will be decisively sustained.

DEPARTMENT OF DEFENSE APPROPRIATIONS, FISCAL YEAR 1976—CONFERENCE REPORT

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to consider the conference report on H.R. 9861, which the clerk will state. The legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 9861) making appropriations for the Department of Defense for the fiscal year ending June 30, 1976, and the period beginning July 1, 1976, and ending September 30, 1976, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses this report, signed by a majority of the conferees.

The Senate proceeded to consider the report.

(The conference report is printed in the House proceedings of the Record of December 10, 1975, at page H12270).

Mr. McCLELLAN. Mr. President, I ask unanimous consent that the requirement that the conference report be printed as a Senate report be waived, inasmuch as under the rules of the House of Representatives, it has been printed as a report of the House.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCLELLAN. Mr. President, on Monday, December 8, the conferees on the Department of Defense appropriations bill for fiscal year 1976 and the 3-month transition period reached agreement on the differences between the two Houses after 3 days of meetings and about 10 hours of deliberations.

The total amount of new budget authority agreed to was \$90,466,961,000 for fiscal year 1976 and \$21,860,723,000 for the 3-month transition period ending September 30, 1976.

For fiscal year 1976, this is \$7,390,888,000, or 7.6 percent below the administration's amended budget request. For the transition period, it is \$1,256,922,000, or 5.4 percent less than the budget request.

The final amount agreed to by the conferees for fiscal year 1976 is \$247,916,000 above the House bill, and \$254,828,000 below the Senate bill—or very close to an even split between the two Houses.

The conferees resolved 437 individual line-item dollars or language differences, including 101 amendments made by the Senate to the House bill.

I am convinced that the conference committee has produced a reasonable compromise and that the amount appropriated in this bill provides a level of funding commensurate with both American national responsibilities and, hopefully, prudent fiscal policy.

Although reductions amounting to over \$7 billion—or 7.6 percent of a defense budget request—must involve size-

able cutbacks in many areas, the conferees attempted to make reductions that will not be detrimental to our national security interests. I would like to emphasize that, even with this large reduction, this bill is \$8,370,664,000—or 10.2 percent—more than the comparable amount provided last year in the Defense Appropriations Act for fiscal year 1975.

COMPLIANCE WITH CONGRESSIONAL BUDGET RESOLUTION (H. CON. RES. 466)

Mr. President, the Committee on Appropriations has made every effort this year to work within the framework of the new Budget and Impoundment Act, which is on a trial run basis this year. When this Chamber considered H.R. 9861, you will recall that I pointed out that the bill as reported by the committee was in compliance with the Senate version of the second concurrent resolution on the budget, with respect to both budget authority and outlays.

H.R. 9861, as agreed to by the conferees, is within the targets established for the national defense function in the second concurrent resolution (H. Con. Res. 466) that was reported by the conference committee on December 8, if reasonable assumptions are made about bills not yet acted upon that affect this resolution—such as the pay supplemental, which will be submitted in January.

The conference total is \$89 million below the budget authority target and \$292 million below the outlay target.

MAJOR ITEMS IN THE CONFERENCE
TITLE I—MILITARY PERSONNEL

The conference agreement includes restoration of \$10.3 million of the House \$29.6 million reduction for pay of military personnel assigned to recruiting activities. The conferees also agreed to a decrease of \$2.3 million associated with the Senate proposal to reduce drill training status for certain Reserve personnel. Also agreed to was restoration of \$10 million to support a Naval Reserve average strength of 102,000, rather than the 94,000 recommended by the Senate and 106,000 proposed by the House. The conferees also agreed with the Senate proposal to terminate, until reviewed and approved by the Congress, future drill payments to non-prior-service Reserve enlistees who have not yet undergone basic military training.

TITLE III—OPERATION AND MAINTENANCE

The conferees agreed to provide funds for the civilian personnel strength levels in the Authorization Act for the period ending September 30, 1976. This requires that a reduction of 23,537 personnel be made from the budget request. The conference agreement specifies reductions of 20,334, and permits the Secretary of Defense to allocate the remaining reduction of 3,203 positions. Principal conference restorations of House civilian personnel reductions occurred in Army depots, naval aircraft rework facilities, and naval shipyards.

The conference agreement provides \$174,950,000 for the stock fund surcharges, or approximately half of the amount provided in the Senate bill. The House provided no funds for this item. These funds are required to pay for costs

already incurred, even though the conference agreement stipulates that the surcharge is to be removed.

The conferees agreed that the subsidy for commissary personnel operations should not be phased out at this time, as was proposed by the Senate.

With respect to Safeguard, the conference agreement provides the full amount of the budget request, as proposed by the Senate, but stipulates that the funds provided may be used only for the purpose of the expeditious termination and deactivation of all operations of the antiballistic missile facility, except the perimeter acquisition radar.

TITLE IV—PROCUREMENT
AIRCRAFT PROGRAMS

The conference agreement includes \$64 million for advance procurement for the B-1 strategic bomber as proposed by the House. The Senate had deleted these funds. The conference report makes clear that provision of these funds implies no commitment on the part of the Congress to the production of the B-1, and limits obligations of funds for the B-1 under a continuing resolution in 1977 to a rate not more than the amount provided in fiscal year 1976.

The conference provided \$251.2 million to fully fund four airborne warning and control system—AWACS—aircraft, instead of two AWACS as proposed by the House and six AWACS as provided by the Senate.

The conference also provided \$1,373,300,000 for procurement of 108 F/TF-15 fighter aircraft as proposed instead of \$1,316,200,000 for production of 96 such aircraft as proposed by the Senate.

MISSILE PROGRAMS

The conference agreement provides \$37.5 million for procurement of 52 Chaparral missile launchers as proposed by the Senate. The House had denied the funds requested for these launchers. The conference agreement also provides \$102.8 million for the Trident I missile instead of the \$95.3 million as proposed by the House and the \$120.3 million proposed by the Senate. The conference agreement provides \$56.6 million for procurement of 205 Condor missiles, the same amount provided by both Houses. However, the bill contains a proviso, similar to that contained in a Senate amendment, which limits funding for Condor to \$15 million until the Secretary of Defense determines and advises the Congress that the Condor missile system has successfully completed testing and can be released for production.

SHIPBUILDING

A total of \$3,853,000,000 is provided in the conference agreement for the 1976 shipbuilding program as proposed by the Senate, instead of \$3,632,700,000 as proposed by the House. The conferees agreed to the Senate's proposals in all cases. This involved making necessary adjustments in order to fully fund the most important ships in the program by making provision for known cost growth that was determined subsequent to the date the House reported the bill. An additional \$38.7 million provided in the conference agreement as proposed by

the Senate, will fund Trident cost growth, making the total amount \$641.3 million instead of \$602.6 million as proposed by the House. Only one AD destroyer tender is funded at \$201.9 million, instead of \$364.5 million for two tenders as proposed by the House. A total of \$239.4 million is provided for two AO fleet oilers, as proposed by the Senate, which is \$27.3 million more than the House proposed, in order to fund known cost increases in these ships.

105MM AMMUNITION PLANTS

The conference agreement provides \$21.7 million in fiscal year 1976 and \$88.7 million in the transition quarter, for construction of a 105mm artillery projectile metal parts plant at the Lone Star Army Ammunition Plant in Texarkana, Tex., as proposed by the Senate. The House had denied these funds. The conference agreement, however, provides bill language that requires a new Army study of the requirements for this plant, a certification of the essentiality of these requirements, and approval of the Army decision by the Armed Services and Appropriations Committees prior to obligation of any funds provided in this act for this purpose.

TITLE V—RESEARCH, DEVELOPMENT, TEST AND EVALUATION

AIRCRAFT PROGRAMS

The conference agreement provides \$597.2 million for the B-1 bomber as proposed by the Senate instead of \$642 million as proposed by the House. The conference agreement provides \$216 million for the F-16 air combat fighter instead of \$221 million as proposed by the House and \$146 million as proposed by the Senate.

MISSILE PROGRAMS

The conferees agreed to provide \$3.8 million for the advanced forward area air defense system as proposed by the House instead of \$9.9 million as proposed by the Senate. A total of \$4 million is provided in the conference agreement for the helicopter missile, Hellfire, instead of \$3 million proposed by the House and \$4.5 million proposed by the Senate. The conferees provided \$55 million for the short range air defense missile system instead of \$45 million proposed by the House and \$65 million proposed by the Senate.

During the transition quarter, the conference agreement provides \$40 million for the SAM-D missile system as proposed by the Senate, instead of \$25.4 million as proposed by the House.

The conference agreement approves the continuation of the Trident Maneuvering Reentry Vehicle program, providing \$725.5 million for the Trident missile system as proposed by the Senate instead of \$686.9 million as proposed by the House.

The conferees also agreed on the appropriation of \$51 million as proposed by the Senate to continue the Air Launched Cruise Missile program. The House had denied these funds.

OTHER MAJOR DEVELOPMENT PROGRAMS

The conference agreement provides \$51.3 million for the XM-1 tank pro-

gram as proposed by the Senate instead of \$43.8 million as proposed by the House. The conferees also agreed to provide \$15 million for the Closein Weapon system as proposed by the Senate. The House had denied all funds for this system. The conferees also agreed to provide \$38 million for the Surface Effects Ship program as proposed by the Senate instead of \$20.1 million as proposed by the House.

GENERAL PROVISIONS

The conference reached agreement on a number of differences in the general provisions, providing as follows on the major items:

Deleted a Senate provision which would have permitted the payment of a price differential on contracts made for the purpose of relieving economic dislocations;

Limited the Department to 396 enlisted aides as proposed by the House instead of 250 as proposed by the Senate;

Permitted payment of a monetary allowance to military personnel who move their own baggage and household effects. This provision was proposed by the House and stricken by the Senate;

Provided a 40-mile radius, instead of a 50-mile radius proposed by the House and a 30-mile radius proposed by the Senate for the issuance of certificates of non-availability under the Civilian Health and Medical Program of the Uniformed Services—CHAMPUS; and

Permitted payments under the CHAMPUS program to be made to family, pastoral and family and child counselors when these services cannot be obtained at a military medical facility or on a military base. The House had prohibited all payments, while the Senate had permitted them.

The details of the calculations and assumptions made by the Committee on Appropriations are shown on the two tables which I shall include at the conclusion of my remarks. Mr. President, I ask unanimous consent that a list of major items in conference and a tabulation summarizing the actions of the House, the Senate and the conference, and the other tables just mentioned, be printed in the RECORD at this point.

There being no objection, the materials were ordered to be printed in the RECORD, as follows:

BUDGET AUTHORITY WORKSHEET, NATIONAL DEFENSE FUNCTIONAL CATEGORY (050) FISCAL YEAR 1976

[In millions of dollars]

	Actions/ estimates	President's requests including amend- ments
Enacted:		
Previous years:		
Trust funds.....	6,807	6,807
Offsetting receipts.....	-5,139	-5,139
This session:		
Treasury—Postal service.....	100	121
HUD—Independent.....	38	48
State—Justice.....	5	5
Military retired pay adjustment.....	9	0
Military construction.....	3,585	4,109
Public works—ERDA.....	1,918	1,969
Total already enacted.....	7,323	7,920

	Actions/ estimates	President's requests including amend- ments
Pending or not yet submitted legislation, and additional information useful in determining estimates:		
Pay raises:		
Provided by law.....	3,079	3,079
Less President's proposals.....		-1,847
Less re-estimate.....	-134	
Less congressional action on pay caps.....	-932	
Pay raise subtotal.....	2,013	1,800
Foreign assistance:		
Middle East.....		933 (933)
All other.....		334 (557)
Naval petroleum reserve and.....	122	
offsetting receipts (estimate).....	-100	0 -347
Stockpile sales (estimate).....	22	0 -408
Inventory replenishment (au- thorization denied).....	-244	0
Other.....	0	0 300
		454 142
Total pending (excluding DOD ap- propriations).....	3,121	2,409
Total enacted and pending (exclud- ing DOD appropriations).....	10,444	10,329
H.Con.Res. 466—2d Concurrent Resolu- tion National Defense (505) Target.....	101,000	(9)
Minus above total, enacted and pending.....	-10,444	(9)
Residual available for defense appropriations bill within target.....	90,556	(9)
H.R. 9861 as reported by the conference committee.....	90,467	(9)
Under target.....	89	(9)

¹ Assumes 10 percent absorption and cut in final appropriations (including retired pay). See exhibit A.

² Assumes 40 percent cut in final appropriation excluding Middle East, the same percentage cut as in 3 previous fiscal years. See exhibit B.

³ Assumes no legislation passes this fiscal year.

⁴ Military per diem (+\$44,000,000) and reimbursement for accrued leave (+\$10,000,000); both bills passed by House. Senate Armed Services Committee advises that Senate action is likely. Assumes effective date of Jan. 1, 1976, for per diem legislation and Apr. 1, 1976, for accrued leave legislation.

⁵ Memo: President's defense appropriations bill included \$97,695 in new budget authority.

OUTLAYS WORKSHEET, NATIONAL DEFENSE FUNCTIONAL CATEGORY (050) FISCAL YEAR 1976

[In millions of dollars]

	Action/ esti- mates	Presi- dent's requests including amend- ments
Enacted:		
Previous years:		
Trust funds.....	4,676	4,676
Prior years.....	123,952	123,952
Offsetting receipts.....	-5,139	-5,139
This session:		
Treasury—Postal Service.....	62	81
HUD—Independent.....	31	39
State—Justice.....	5	5
Military retired pay adjustment.....	9	0
1975 foreign assistance.....	-159	(?)
Rescissions.....	-63	(?)
1975 pay supplemental.....	83	85
Military construction.....	827	836
Public Works—ERDA.....	858	880
Total already enacted.....	25,142	25,145
Pending or not yet submitted legislation, and additional information useful in determining estimates:		
Pay raises:		
Provided by law.....	3,002	3,002
Less President's proposals.....		-1,808
Less reestimate.....	-134	
Less Congressional action on pay caps.....	-917	
Pay raise subtotal.....	1,951	1,750

S 22148

CONGRESSIONAL RECORD—SENATE

December 15, 1975

OUTLAYS WORKSHEET, NATIONAL DEFENSE FUNCTIONAL
CATEGORY (050) FISCAL YEAR 1976—Continued

[In millions of dollars]

	Action/ estimates	President's requests including amendments		Presi- dent's requests including amend- ments
H. Con. Res. 466—2d Concurrent Resolu- tion National Defense (050) Target.....			91,000	(7)
Minus above total, enacted and pending.....			-27,392	(7)
Residual available for defense appro- priations bill within target.....			64,508	(7)
H.R. 9861 as reported by the conference committee.....			64,306	(7)
Under target.....			202	(7)
Foreign assistance.....	638			
Middle East.....	170	(170)		
All other.....	281	(468)		
Naval petroleum reserve and offsetting receipts (esti- mate).....	35			
.....	-100	6	-400	
Total.....	-65			
Stockpile sales (estimate).....	-244	0	-408	
Inventory replenishment au- thorization denied).....	0	0	90	
Other.....	49	138		
Total pending (excluding DOD appropriations).....	2,250	1,252		
Total enacted and pending (ex- cluding DOD appropriations).....	27,392	26,667		

1 Incorporates President's re-estimate for prior year outlays
(—\$500,000,000).
2 Carried in previously enacted.
3 Assumes 10 percent absorption and cut in final appropriation
(including retired pay). See exhibit A.
4 Assumes 40 percent cut in final appropriation excluding
Middle East, the same percentage cut as in three previous fiscal
years. See exhibit B.
5 Assumes no legislation passes this fiscal year.
6 Military per diem (+\$40,000,000) and reimbursement for
accrued leave (+\$9,000,000); both bills passed by House.
Senate Armed Services Committee advises that Senate action is
likely. Assumes effective date of Jan. 1, 1976 for per diem
legislation and Apr. 1, 1976 for accrued leave legislation.
7 Memo: President's defense appropriations bill included
\$67,233 in outlays from current BA.

EXHIBIT A

DOD SUPPLEMENTALS FOR PAY

[Dollar amounts in millions]

	Supple- mental request for pay ¹	Enacted	Percent reduction
Fiscal year:			
1975.....	\$1,772	\$1,491	15.86
1974.....	3,260	3,014	7.54
1973.....	1,074	930	13.40
1972.....	2,639	2,339	11.37
1971.....	2,838	2,685	5.39
Average reduction.....			10.71

¹ Includes retired pay.

EXHIBIT B.

CONGRESSIONAL REDUCTIONS IN MILITARY ASSISTANCE AND FOREIGN MILITARY CREDIT SALES PROVIDED THROUGH THE APPROPRIATIONS PROCESS

[Dollar amounts in millions]

Fiscal year	Total President's request including supple- mentals and amendments	Total final appro- priation	Percent reduction from President's request	Fiscal year	Total President's request including supple- mentals and amendments	Total final appro- priation	Percent reduction from President's request
1971 Military assistance, Executive.....	690.0	690.0	27	1975 Military assistance, Executive.....	1,207.0	475.0	61
Foreign military sales credits.....	272.5	200.0	46	Foreign military sales credits.....	555.0	300.0	46
Total.....	962.5	890.0	8	Total.....	1,762.0	775.0	56
1972 Military assistance, Executive.....	705.5	500.6	29	Average reduction 1971 through 1975.....			31
Foreign military sales credits.....	510.0	400.0	22	Average reduction 1973 through 1975.....			40
Total.....	1,215.6	900.6	26	Note: Above numbers exclude aid for Israel and Cambodia, which are as follows:			
1973 Military assistance, Executive.....	780.5	550.9	29	1971 Military credit sales, Israel.....	500.0	500.0	
Foreign military sales credits.....	527.0	400.0	24	1972.....			
Total.....	1,307.5	950.9	27	1973.....			
1974 Military assistance, Executive.....	685.0	450.0	34	1974 Emergency security assistance, Israel.....	2,200.0	2,200.0	
Foreign military sales credits.....	525.0	325.0	38	Emergency military assistance, Cam- bodia.....	200.0	150.0	25
Total.....	1,210.0	775.0	36	1975.....			

DEPARTMENT OF DEFENSE APPROPRIATIONS, 1976 (H.R. 9861)

Conference agreement	New BA enacted fiscal year 75	New BA estimates 76/Transition	New BA House 76/Transition	New BA Senate 76/Transition	New BA conference 76 Transition	Conference compared with fiscal year 75 enacted	Conference compared with new BA estimate	Conference compared with House bill	Conference compared with Senate bill
TITLE I—MILITARY PERSONNEL									
Military personnel, Army.....	8,072,021,000	8,264,400,000	8,162,738,000	8,185,666,000	8,180,347,000	108,326,000	-84,053,000	17,609,000	-5,319,000
Transition period.....	304,715,000	2,100,060,000	2,062,994,000	2,064,644,000	2,064,635,000	(-10,100,000)	-35,365,000	1,641,000	-9,000
Transfer from other accounts.....	(10,130,000)						-62,600,000	1,186,000	-184,000
Military personnel, Navy.....	5,835,560,000	5,784,900,000	5,721,114,000	5,722,484,000	5,722,300,000	-113,250,000	-25,232,000	100,000	-210,000
Transition period.....	168,170,000	1,476,900,000	1,451,568,000	1,451,878,000	1,451,668,000	(-10,100,000)			
Transfer from other accounts.....	(10,100,000)								
Military personnel, Navy 1969, 1971 (Liquidation of deficiencies).....	43,356,000					-43,356,000			
Military personnel, Marine Corps.....	1,757,256,000	1,828,300,000	1,802,843,000	1,810,335,000	1,806,377,000	49,121,000	-21,923,000	3,534,000	-3,958,000
Transition period.....	66,844,000	467,900,000	459,863,000	460,190,000	460,117,000	-7,783,000	-7,783,000	254,000	-73,000
Transfer from other accounts.....	(3,200,000)						-149,076,000	-11,137,000	6,640,000
Military personnel, Air Force.....	7,441,031,000	7,400,600,000	7,262,661,000	7,244,884,000	7,251,524,000	-189,507,000	-39,623,000	-1,251,000	12,196,000
Transition period.....	270,425,000	1,816,300,000	1,777,928,000	1,764,481,000	1,776,677,000	(-55,500,000)			
Transfer from other accounts.....	(55,500,000)								
Reserve personnel, Army.....	493,800,000	464,600,000	468,700,000	469,357,000	468,879,000	-24,921,000	4,279,000	179,000	-478,000
Transition period.....		168,900,000	168,120,000	164,527,000	165,299,000		-3,601,000	-2,821,000	772,000
Reserve personnel, Navy.....	215,400,000	191,000,000	204,390,000	189,450,000	200,035,000	-15,365,000	9,035,000	-4,355,000	10,585,000
Transition period.....	7,378,000	56,300,000	61,935,000	54,715,000	59,525,000		3,225,000	-2,410,000	4,810,000
Reserve personnel, Marine Corps.....	66,800,000	72,700,000	59,320,000	71,983,000	70,652,000	3,852,000	-2,048,000	1,332,000	-1,331,000
Transition period.....		28,900,000	27,850,000	28,313,000	28,082,000		-218,000	232,000	-231,000
Reserve personnel, Air Force.....	147,865,000	160,700,000	157,500,000	152,700,000	157,500,000	9,635,000	-3,200,000		4,800,000
Transition period.....		51,100,000	48,260,000	47,160,000	48,260,000		-2,840,000		1,100,000
National Guard personnel, Army.....	660,800,000	697,300,000	696,900,000	696,900,000	696,900,000	36,100,000	-16,250,000		
Transition period.....	9,700,000	225,300,000	209,050,000	209,050,000	209,050,000		-882,000	1,000,000	
National Guard personnel, Air Force.....	203,227,000	213,200,000	211,318,000	212,318,000	212,318,000	7,091,000	-176,000		
Transition period.....	2,213,000	61,100,000	60,924,000	60,924,000	60,924,000				
Total, title I.....	24,939,116,000	25,077,700,000	24,757,484,000	24,756,077,000	24,766,832,000	-172,284,000	-310,868,000	9,348,000	10,755,000
Transition period.....	829,440,000	6,452,700,000	6,328,492,000	6,305,882,000	6,324,237,000	(-78,900,000)	-128,463,000	-4,255,000	18,355,000
Total, transfer from other accounts.....	(78,900,000)								

Conference agreement	New BA enacted fiscal year 75	New BA estimates 76/Transition	New BA House 76/Transition	New BA Senate 76/Transition	New BA conference 76 Transition	Conference compared with fiscal year 75 enacted	Conference compared with new BA estimate	Conference compared with House bill	Conference compared with Senate bill
TITLE II—RETIRED MILITARY PERSONNEL									
Retired pay, Defense	6,250,900,000	6,885,200,000	6,885,200,000	6,885,200,000	6,835,200,000	634,300,000			
Transition period	235,300,000	1,775,100,000	1,775,100,000	1,775,100,000	1,775,000,100				
TITLE III—OPERATION AND MAINTENANCE									
Operation and maintenance, Army	6,350,167,000	7,352,000,000	6,984,830,000	7,052,000,000	7,052,000,000	701,833,000	-300,000,000	67,170,000	-2,442,000
Transition period	275,539,000	1,883,700,000	1,752,542,000	1,781,442,000	1,779,000,000		-104,700,000	26,458,000	
Transfer from other accounts	(23,221,000)					(-23,221,000)			
Operation and maintenance, Army, 1972 (liquidation of contract authority)		42,214,000	94,000,000		20,000,000	20,000,000	-42,214,000		
Army stock fund		94,000,000					-94,000,000		
Operation and maintenance, Navy	7,290,525,000	8,320,000,000	7,974,615,000	8,108,615,000	8,059,400,000	778,875,000	-250,600,000	94,785,000	-39,215,000
Transition period	161,800,000	2,234,500,000	2,121,157,000	2,133,557,000	2,133,557,000		-100,943,000	12,400,000	
Transfer from other accounts	(6,700,000)					(-6,700,000)			
Operation and maintenance, Navy, 1972 (liquidation of contract authority)		54,000,000			10,000,000	10,000,000	-54,000,000		
Navy stock fund		42,000,000	42,000,000				-32,000,000		
Operation and maintenance, Marine Corps	459,384,000	507,300,000	492,910,000	499,210,000	497,110,000	37,726,000	-10,190,000	4,200,000	-2,100,000
Transition period	15,200,000	129,400,000	125,506,000	125,856,000	125,506,000		-3,894,000		-350,000
Transfer from other accounts	(1,600,000)					(-1,600,000)			
Marine Corps stock fund		8,700,000	8,700,000				-8,700,000		
Operation and maintenance, Air Force	7,141,450,000	7,956,300,000	7,437,079,000	7,586,479,000	7,498,679,000	357,229,000	-457,621,000	61,600,000	-87,800,000
Transition period	127,200,000	2,020,300,000	1,906,245,000	1,897,495,000	1,897,495,000		-122,805,000	-8,750,000	
Transfer from other accounts	(24,780,000)					(-24,780,000)			
Operation and maintenance, Air Force, 1972 (liquidation of contract authority)		67,000,000	82,100,000		15,000,000	15,000,000	-67,000,000		
Air Force stock fund		82,100,000					-82,100,000		
Operation and maintenance, Defense agencies	2,400,097,000	2,569,800,000	2,460,631,000	2,497,876,000	2,475,431,000	75,334,000	-94,369,000	14,800,000	-22,445,000
Transition period	50,888,000	653,600,000	623,925,000	631,855,000	627,725,000		-25,875,000	3,800,000	-4,130,000
Defense stock fund		250,000,000	250,000,000		88,000,000	88,000,000	-162,000,000		
Operation and maintenance, Army Reserve	283,993,000	332,300,300	305,760,000	311,460,000	310,710,000	26,717,000	-21,590,000	4,950,000	-750,000
Transition period	9,408,000	98,200,000	91,400,000	91,100,000	91,100,000		-7,100,000		
Operation and maintenance, Navy Reserve	246,738,000	308,600,000	281,525,000	288,125,000	284,425,000	37,687,000	-24,175,000	2,900,000	-3,700,000
Transition period	2,088,000	80,700,000	73,550,000	73,250,000	73,250,000		-7,450,000		
Operation and maintenance, Marine Corps Reserve	11,728,000	12,100,000	11,900,000	12,000,000	12,000,000	272,000	-100,000	100,000	
Transition period	28,000	3,500,000	3,400,000	3,400,000	3,400,000		-100,000		
Operation and maintenance, Air Force Reserve	293,680,000	343,800,000	327,330,000	318,530,000	322,430,000	28,750,000	-21,370,000	-4,900,000	3,900,000
Transition period	7,200,000	87,700,000	83,190,000	79,590,000	81,190,000		-6,510,000	-2,000,000	1,600,000
Operation and maintenance, Army National Guard	607,528,000	678,200,000	649,930,000	650,033,000	649,930,000	42,402,000	-28,270,000		-400,000
Transition period	19,728,000	183,400,000	174,385,000	173,285,000	173,285,000		-10,115,000	-1,100,000	
Operation and maintenance, Air National Guard	648,350,000	723,500,000	690,100,000	703,400,000	697,100,000	48,750,000	-26,400,000	7,000,000	-6,300,000
Transition period	15,100,000	189,200,000	181,500,000	181,200,000	181,200,000		-8,000,000	-300,000	
National Board for the Promotion of Rifle Practice, Army	183,000	233,000		233,000	233,000	50,000		233,000	
Transition period	5,000	73,000	93,000	93,000	93,000				
Naval petroleum reserve	69,400,000	117,700,000	117,700,000	117,700,000	117,700,000	48,300,000			
Transition period		47,500,000	47,500,000	47,500,000	47,500,000				
Claims, Defense	54,600,000	71,600,000	71,600,000	71,600,000	71,600,000	17,000,000			
Transition period		15,500,000	15,500,000	15,500,000	15,500,000				
Contingencies, Defense	2,500,000	5,000,000	2,500,000	2,500,000	2,500,000		-2,500,000		
Transition period		1,250,000	725,000	725,000	725,000				
Court of Military Appeals	1,065,000	1,134,000	1,134,000	1,134,000	1,134,000	69,000			
Transition period		285,000	285,000	285,000	285,000				
Total, title III	25,851,388,000	29,939,581,000	28,286,344,000	28,309,192,000	28,197,382,000	2,335,994,000	-1,742,199,000	-88,962,000	-111,810,000
Transition period	684,184,000	7,628,808,000	7,200,903,000	7,236,133,000	7,230,811,000		-397,997,000	29,908,000	-5,322,000
Total, transfer from other accounts	(56,301,000)					(-56,301,000)			
TITLE IV—PROCUREMENT									
Aircraft procurement, Army	242,800,000	362,300,000	333,500,000	333,500,000	333,500,000	90,700,000	-28,800,000		
Transition period		59,400,000	59,400,000	59,400,000	59,400,000				
Transfer from other accounts	(7,000,000)					(-7,000,000)			
Missile procurement, Army	416,500,000	460,800,000	385,100,000	422,600,000	422,600,000	6,100,000	-38,200,000	37,500,000	
Transition period		56,500,000	41,600,000	42,600,000	42,600,000		-13,900,000	1,000,000	
Transfer from other accounts	(15,000,000)					(-15,000,000)			
Procurement of weapons and tracked vehicles, Army	344,800,000	989,300,000	881,400,000	918,700,000	881,400,000	536,600,000	-107,900,000		-37,300,000
Transition period		282,300,000	255,000,000	255,000,000	255,000,000		-27,300,000		
Transfer from other accounts	(3,000,000)					(-3,000,000)			
Procurement of ammunition, Army	720,200,000	751,400,000	615,500,000	637,200,000	637,200,000		-114,200,000	21,700,000	
Transition period		271,200,000	164,100,000	252,800,000	252,800,000		-18,400,000	88,700,000	
Transfer from other accounts	(170,000,000)					(-170,000,000)			
Other procurement, Army	681,100,000	1,002,800,000	898,400,000	930,500,000	912,300,000	231,200,000	-90,500,000	13,900,000	-18,200,000
Transition period		197,700,000	197,700,000	197,700,000	197,700,000				
Transfer from other accounts	(3,000,000)					(-3,000,000)			
Aircraft procurement, Navy	2,775,400,000	3,077,000,000	2,972,800,000	2,972,800,000	2,972,800,000	197,400,000	-104,200,000		
Transition period		600,100,000	605,500,000	605,500,000	605,500,000		5,400,000		
Transfer from other accounts									
Weapons procurement, Navy	729,500,000	1,224,200,000	1,155,100,000	1,190,100,000	1,172,600,000	443,100,000	-51,600,000	17,500,000	-17,500,000
Transition period		332,700,000	314,200,000	329,200,000	321,700,000		-11,000,000	7,500,000	-7,500,000
Transfer from other accounts	(10,000,000)					(-10,000,000)			
Shipbuilding and conversion, Navy	3,059,000,000	5,506,000,000	3,832,700,000	3,853,000,000	3,853,000,000		-1,653,000,000	20,300,000	
Transition period		474,200,000	471,200,000	471,200,000	471,200,000		-3,000,000		
Transfer from other accounts	(70,000,000)					(-70,000,000)			
Other procurement, Navy	1,582,600,000	1,981,900,000	1,810,100,000	1,872,700,000	1,829,700,000	247,100,000	-152,200,000	19,600,000	-43,000,000
Transition period		491,200,000	450,100,000	468,900,000	464,500,000		-26,700,000	4,400,000	-5,400,000
Transfer from other accounts	(20,800,000)					(-20,800,000)			
Procurement, Marine Corps	207,800,000	285,800,000	275,900,000	281,000,000	281,000,000		-4,800,000	5,100,000	
Transition period		43,800,000	40,400,000	40,400,000	40,400,000		-3,400,000		
Transfer from other accounts	(10,000,000)					(-10,000,000)			

DEPARTMENT OF DEFENSE APPROPRIATIONS, 1976 (H.R. 9881) Continued

Conference agreement	New BA enacted fiscal year 75	New BA House estimates 76/Transition	New BA Senate estimates 76/Transition	New BA conference 76/Transition	Conference compared with fiscal year 75 enacted	Conference compared with new BA estimate	Conference compared with House bill	Conference compared with Senate bill
Aircraft procurement, Air Force	2,939,900,000	4,575,000,000	3,933,200,000	3,933,700,000	3,933,700,000	993,000,000	-641,800,000	500,000
Transition period		1,087,000,000	818,400,000	803,100,000	818,400,000		-268,700,000	15,300,000
Transfer from other accounts	(153,600,000)		(24,300,000)	(24,300,000)	(24,300,000)	(-129,300,000)		
Missile procurement, Air Force	1,533,700,000	1,791,000,000	1,694,600,000	1,739,500,000	1,723,900,000	190,200,000	-67,500,000	9,300,000
Transition period		277,000,000	232,000,000	245,900,000	233,000,000		-4,400,000	1,000,000
Transfer from other accounts	(5,000,000)					(-5,000,000)		
Other procurement, Air Force	1,776,500,000	2,342,000,000	2,010,400,000	2,133,800,000	2,046,400,000	269,900,000	-256,400,000	6,000,000
Transition period		383,000,000	345,700,000	358,000,000	353,000,000		-30,600,000	7,300,000
Transfer from other accounts	(12,600,000)					(-12,600,000)		
Procurement, Defense agencies	98,416,000	128,000,000	203,100,000	120,100,000	205,600,000	107,184,000	77,300,000	2,500,000
Transition period		29,000,000	39,600,000	20,900,000	39,600,000		18,700,000	85,500,000
Transfer from other accounts								18,700,000
Total, title IV	17,108,216,000	24,479,000,000	21,001,800,000	21,339,200,000	21,205,700,000	4,097,484,000	-3,273,800,000	253,900,000
Transition period		4,578,000,000	4,044,900,000	4,151,600,000	4,154,800,000		-423,300,000	133,900,000
Total, transfer from other accounts	(480,000,000)		(108,000,000)	(99,300,000)	(99,300,000)	(-380,700,000)	(99,300,000)	-133,500,000
							(-4,500,000)	3,200,000
TITLE V—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION								
Research, development, test, and evaluation, Army	1,779,339,000	2,181,600,000	1,972,833,000	1,995,596,000	1,948,823,000	169,884,000	-252,877,000	-46,773,000
Transition period	25,386,000	585,000,000	464,774,000	512,451,000	504,452,000		-81,148,000	9,990,000
Transfer from other accounts								-7,999,000
Research, development, test, and evaluation, Navy	3,006,914,000	3,467,000,000	3,146,050,000	3,265,950,000	3,238,390,000	231,476,000	-229,310,000	-27,560,000
Transition period	17,000,000	903,000,000	801,419,000	824,899,000	818,722,000		-85,078,000	9,340,000
Transfer from other accounts	(17,000,000)							-6,177,000
Research, development, test, and evaluation, Air Force	3,274,360,000	3,903,000,000	3,591,266,000	3,584,406,000	3,591,266,000	316,906,000	-311,934,000	6,860,000
Transition period	16,493,000	1,034,000,000	906,546,000	900,014,000	901,014,000		-132,986,000	1,000,000
Transfer from other accounts	(16,493,000)							
Research, development, test, and evaluation, Defense Agencies	491,057,000	597,000,000	599,100,000	557,200,000	604,400,000	113,343,000	6,600,000	47,200,000
Transition period		152,000,000	147,000,000	138,700,000	146,550,000		-6,150,000	7,850,000
Transfer from other accounts								
Director of Test and Evaluation, Defense	25,000,000	25,000,000	25,000,000	25,000,000	25,000,000		-3,500,000	
Transition period		6,000,000	5,000,000	5,000,000	5,000,000		-1,800,000	
Total, title V	8,576,670,000	10,178,600,000	9,284,249,000	9,428,152,000	9,407,879,000	831,209,000	-771,021,000	12,630,000
Transition period	58,879,000	2,682,000,000	2,325,139,000	2,381,064,000	2,375,738,000		-307,162,000	50,599,000
Total, transfer from other accounts	(33,493,000)					(-33,493,000)		-5,326,000
TITLE VI—SPECIAL FOREIGN CURRENCY PROGRAM								
Special foreign currency program	1,945,000	2,668,000	2,668,000	2,668,000	2,668,000	723,000		
Transition period		67,000	37,000	37,000	37,000			
TITLE VII—GENERAL PROVISIONS								
Additional transfer authority, sec. 831	(750,000,000)	(750,000,000)	(750,000,000)	(750,000,000)	(750,000,000)			
Transition period		(185,000,000)	(185,000,000)	(185,000,000)	(185,000,000)			
TITLE VIII—RELATED AGENCIES								
Defense Manpower Commission	800,000	1,300,000	1,300,000	1,300,000	1,300,000	500,000		
MILITARY ASSISTANCE, SOUTH VIETNAMESE FORCES								
Military assistance, South Vietnamese forces	700,000,000	1,293,000,000				-700,000,000	-1,293,000,000	
Final total	83,439,035,000	97,857,815,000	90,219,045,000	90,721,789,000	90,466,961,000	7,027,926,000	-7,390,888,000	247,916,000
Transition period	2,107,303,000	23,117,615,000	21,674,571,000	21,849,816,000	21,860,723,000		-1,256,922,000	184,152,000
Total, transfer from other accounts	(648,694,000)		(108,800,000)	(99,300,000)	(99,300,000)	(-549,394,000)	(99,300,000)	10,907,000
Total funding available	84,087,729,000	97,857,815,000	90,327,845,000	90,821,089,000	90,566,261,000	6,478,532,000	-7,291,588,000	238,416,000
Transition period	2,107,803,000	23,117,615,000	21,674,571,000	21,849,816,000	21,860,723,000		-1,256,922,000	184,152,000
Transfer authority	(750,000,000)	(750,000,000)	(750,000,000)	(750,000,000)	(750,000,000)			
Transition period		(185,000,000)	(185,000,000)	(185,000,000)	(185,000,000)			

Mr. McCLELLAN. Mr. President, I shall be pleased to answer any questions the Members of the Senate may have in regard to this conference report.

Mr. President, I am happy to yield to the Senator from North Dakota.

Mr. YOUNG. Mr. President, the chairman has provided the details of this conference report and I will only make a few brief remarks.

This conference report provides \$90,466,961,000 for fiscal year 1976 and \$21,860,723,000 for the transition quarter ending October 1, 1976. This appropriation for the defense of our country is \$6.5 billion more than the funding that was provided for defense in fiscal year 1975. However, this bill is \$7.4 billion less than the budget estimate for fiscal year 1976 and \$1.2 billion less than the budget estimate for the transition quarter. Overall for the fiscal year 1976 and

the transition quarter, there is a reduction of \$8.6 billion below the budget estimate. The conferees were confronted with the difficult task of resolving the differences between the House and Senate bills within appropriations line items that left very little room to adjust the dollars within the totals of the two Houses.

Mr. President, I agree that the conference report represents the best possible compromise with the House. I hope it will be approved.

I want to comment on an article which appeared in the New York Times of December 5, 1975, entitled "Soviets Suspected of Arms Violations." The subheadline says: "U.S. Intelligence Officials Raise Questions About a New Radar Station."

Mr. President, what Congress is doing with respect to our only ABM installa-

tion is engaging in unilateral disarmament. I do not believe that is in the best interest of our national defense. I checked with our defense community as to the accuracy of this New York Times article. They say it is not only correct, but the Russians are going beyond what this article indicates. They are building an ABM-type radar on the Kamchatka Peninsula in Northwestern Russia. They are testing out three entirely new types of ABM systems and they are expanding and modernizing their ABM system around Moscow while we are requiring that ours be dismantled, torn down, and moved away. The one exception is the PAR radar, which was saved by Senate action. This PAR radar reaches far up to the North Pole. I hope I am not disclosing too much classified information in saying it can detect incoming missiles as far north as the North

Pole and determine where they are targeted. This gives us 8 to 10 minutes warning.

It is part of a defense system that has great merit.

Certainly, after spending approximately \$5.7 billion for the entire system, and \$870 million for the site in North Dakota, it would be reasonable to let the Army operate it until July 1 as they requested rather than requiring immediate dismantling. This experience is important to the future Minuteman site defense program. There is in this bill over \$100 million for this purpose.

Mr. President, I tried to save the other radar—missile site radar—MSR. The Senate voted to keep it till July 1, 1976, but the House would have no part of it.

The experts in weather modification felt this would be of great importance to them in their meteorological research and weather modification. The School of Mines in South Dakota, which has been deeply involved in weather research and modification, was particularly interested in the possible utilization of the missile site radar—MSR.

Some 10 States have weather modification programs in the breadbasket of the United States where we are short of rainfall, where better crops could be produced if we had a better weather modification program.

This program has given great promise and has gotten considerable results in recent years. In the State of South Dakota almost every county has agreed to levy a tax on their land to carry on this weather modification program at their own expense.

The Weather Bureau has some \$5 million for research in this program alone. The House would have no part of it. They wanted this site dismantled.

Mr. President, I ask unanimous consent to have the entire New York Times story of December 5, 1975, printed in the RECORD as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SOVIET SUSPECTED OF ARMS VIOLATION—U.S. INTELLIGENCE OFFICIALS RAISE QUESTIONS ABOUT A NEW RADAR STATION

(By Bernard Gwertzman)

Special to The New York Times

WASHINGTON, December 4—American intelligence officials have reported to the Ford Administration that the Soviet Union recently constructed a large-scale radar station on the Kamchatka Peninsula, raising new questions about possible violations of the 1972 treaty limiting strategic arms.

According to well-placed Administration officials, the Russians have built very modern "phased-array radars" in the Kamchatka area of the northeastern Soviet Union for use in testing systems of defensive weapons known as antiballistic missiles.

This suspected violation of the strategic arms agreements is similar to the other alleged violations in that it points up the fuzziness of some aspects of the 1972 agreements.

"CURRENT" RANGES QUESTIONED

Article Four of the 1972 treaty allowed two operational sites, in Moscow and at Grand Forks, N.D.—the latter site has subsequently been mothballed—and provided that in addition ABM radars could be employed "for development or testing within current or additionally agreed test ranges."

Because this raised questions as to where each side had its "current" test ranges, the United States delegation to the negotiations told the Russians on April 26, 1972, that it understood that the Soviet Union had only one ABM test range, near Saryagan in Kazakhstan, Central Asia.

High-level discussions are now under way within the Administration on whether the Kamchatka radar violate the 1972 treaty on defensive missiles, and what to do about it.

The sophisticated "phased-array radars" scan by electronic means. The smaller, dish-shaped radars scan mechanically, and are less suited to protect against incoming missiles.

Adm. Elmo R. Zumwalt Jr., the retired Chief of Naval Operations, who was told about the Kamchatka site, told the House Select Committee on Intelligence this week that it was a "clear and precise" violation. Some Administration officials are not so sure.

As with other alleged Soviet violations of the 1972 ABM treaty and the accompanying limited accord on offensive weapons, it is almost impossible to prove that the Russians did not technically comply with the agreements.

Despite several charges of Soviet violations, the Administration has consistently concluded that, at worst, the Soviet Union was not living up to the spirit of the agreement. President Ford has stated there were "no violations."

A STORM IN WASHINGTON

Nevertheless, the Soviet actions have created something of a political storm in Washington, of which Kamchatka issue is only the latest flurry.

Political conservatives such as Admiral Zumwalt, a possible candidate for the Senate in Virginia, or Senator Henry M. Jackson, an announced candidate for the Democratic Presidential nomination, are arguing that the actions demonstrate that the Russians cannot be trusted and that the Administration was naive.

Moreover, the direct role of Secretary of State Henry A. Kissinger in negotiating the 1972 accords and current efforts to conclude a treaty on offensive weapons is a factor. Charges about the Russians have been turned into arguments that Mr. Kissinger was deliberately closing his eyes to violations, deceiving the President, Congress and the public—something he vehemently denies.

The issue has been clouded by its complexity. Very few people can understand the technical aspects. The Administration, moreover, to protect its confidential diplomacy, has refused to disclose the allegations publicly. Thus, information is provided, for the most part, in a contentious way by critics such as Admiral Zumwalt, or in highly selective and incomplete briefings by Administration officials.

"We interpret the reference in Article Four," the American delegation to the negotiations said in April, 1972, "to 'additionally agreed test ranges' to mean that ABM components will not be located at any other test ranges without prior agreement between the governments that there will be such additional ABM test ranges." United States ABM ranges are at White Sands, N.M., and at Kwajalein Atoll in the Pacific.

NO SOVIET YES OR NO

The Russians, however, did not confirm or deny the American statement, merely replying on May 5, 1972, that "national means permitted identifying current test ranges."

Presumably, the new radar in Kamchatka would be useful to monitor Soviet long-range offensive missiles that are fired regularly either from Kazakhstan or Siberia, land in Kamchatka or go over it and end up in the Pacific Ocean.

The Saryagan range has been used in the past to monitor Soviet intermediate-range missiles fired from a test site east of Volgograd, officials said.

What troubles American officials is whether there is proof that the Russians have built a new ABM test range in Kamchatka or whether they have merely modernized an old one. There have always been old-fashioned dish-shaped radars in Kamchatka; the Russians could say that it always was an ABM test range and thus permissible.

It has also been charged that the Russians have replaced their light missile, the SS-11, with a much larger weapon, the SS-19, after both sides had agreed not to convert light-missile launchers into heavy ones.

Two years ago the Russians began digging underground works identical to their missile silos, in possible violation of the treaty's prohibition against new missile silos. But the Soviet Union said the 150 to 200 new silos were for command-control centers, and American intelligence accepted that explanation. The Russians have also been accused of covering up work on submarine construction and on mobile missile launchers, contravening the accord.

In turn, the United States has been charged by the Russians with covering up some Minuteman sites while new concrete was being poured. The accords called on each side not to impede the ability of the other to check on compliance.

Admiral Zumwalt also charged this week that the Russians had begun interfering in other ways with American satellites flying over the Soviet Union, but Administration officials denied that American capabilities had been impaired.

Mr. YOUNG. Mr. President, I would like to make an additional comment concerning the New York Times article. This story was called to my attention by the distinguished Senator from Florida (Mr. STONE) and I am grateful to him for it. I do not know of a Senator who has made a better record for himself and in a more timely way than the Senator from Florida. I particularly appreciate his interest in a strong national defense.

Mr. MANSFIELD. I could not agree more.

Mr. President, it is my understanding that several Members of the Senate want to speak on the situation in Angola, and I think it is a situation which merits some talk and some debate.

What we are doing in Angola is unknown to most Americans and, according to the information we get, not in committee, not from the administration, but primarily through the newspapers, it is to the effect that \$25 million has already been allocated to Angola for covert operations; that \$25 million more is anticipated, and there are even some reports to the effect that even more beyond that \$50 million total is to be used in covert operations in Angola.

What we have in that country are three factions striking for control: one, backed by the Soviet Union and Cuba through the use of Cuban troops under a man by the name of Neto; and two others, Mr. Savimbi and Mr. Roberto Holden backed by various other outside interests, including Zaire, the Republic of China, the United States, South Africa and, perhaps, others.

Frankly, I hope—and I have so indicated—that the entire Committee on Foreign Relations would call Secretary Kissinger and CIA Director Colby for the purpose of finding out what the facts are actually in regard to our intervention covertly in Angola so that we could become better informed and, in that respect, I am delighted that the distin-

December 15, 1975

guished Senator from Iowa (Mr. CLARK) will offer an amendment in the Committee on Foreign Relations tomorrow seeking to bring about some order out of the confusion which confronts us in Angola at the present time. But, despite that, I still want the full Committee on Foreign Relations to consider this question so we will know where we are and where we are going.

Mr. JAVITS and Mr. McCLELLAN addressed the Chair.

Mr. McCLELLAN. Mr. President, will the Senator yield? How long a debate do we anticipate on this issue?

Mr. MANSFIELD. Until 1 o'clock.

Mr. McCLELLAN. Can we set a time for voting now on this conference report?

Mr. JAVITS. Mr. President, will the Senator yield to me? I just wanted to express my complete concurrence with the Senator. It needs to be looked into. I am a member of the Committee on Foreign Relations, and I would like to join with Senator MANSFIELD in being sure our committee thoroughly reviews the matter, and that Senator CLARK's amendment will give us a substantive opportunity, and to do that in a perfectly orderly way.

REQUEST FOR UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the vote on the pending conference report occur at the hour of 1 o'clock to be followed at 1:15 by the vote on the treaty.

Mr. TUNNEY. Mr. President, reserving the right to object, when we say the conference report are we now talking about the supplemental appropriation?

Mr. MANSFIELD. The defense appropriation conference report.

Mr. TUNNEY. Well, further reserving the right to object, Mr. President, I would like, before we agree to any vote on this measure, to find out from the very distinguished chairman of the Appropriations Committee exactly what is in this bill with respect to Angola, and I will object to any unanimous-consent request until we have an opportunity of further colloquy and to find out what we are voting on.

Mr. MANSFIELD. If the Senator will yield, that is perfectly acceptable. Therefore, Mr. President, I withdraw my request. But I inform the Senate if there is no vote on this bill at that time the Senate will then turn to the consideration of a vote on the trade treaty with the Soviet Union to be followed, as agreed to by the Senate last week, by the taking up of the tax bill, H.R. 5559; at 4 o'clock that will be laid aside for the purpose of voting on a yea-and-nay vote on the conference report on common situs picketing, and when that vote is concluded we will then once again return to the tax bill.

The PRESIDING OFFICER. Is there objection?

Mr. MANSFIELD. I withdraw my request.

Mr. McCLELLAN. Mr. President, do we have any idea now when we can have a vote on this resolution?

Mr. MANSFIELD. At the moment, no.

Mr. TUNNEY. Mr. President, I rise today to express my concern over the

course of events in Angola. Over the past week the Angolan situation has deteriorated rapidly, and I would like to say to my distinguished and esteemed colleague, the chairman of the Committee on Appropriations, that the reason why I have objected to a unanimous-consent request for a time definite to consider the defense appropriation bill is my concern about Angola.

I think we have to have some understanding of what is in this bill for Angola. There are a number of us on the floor today who are prepared to speak on this subject and to direct some questions to the distinguished Senator from Arkansas, the chairman of the Appropriations Committee.

Reports are surfacing in the press indicating that the United States has provided or is prepared to provide up to \$50 million to two of the three warring factions in Angola in the interest of attempting to stem the tide of the Soviet-backed Marxist movement for the liberation of Angola.

On Saturday Secretary Kissinger was quoted as distinguishing the Angolan involvement from American involvement in Vietnam by saying the Vietnam conflict had a much longer, and more complicated, history.

Perhaps from Dr. Kissinger's grand global perspective this conflict has had a shorter history, although the African experts I and my staff have spoken with have indicated that the basically tribal nature of this conflict goes back many, many decades.

But I for one would have personally felt a great deal more secure if the Secretary of State had said that the real difference between Angola and Vietnam was that we were not going to get involved at this time.

Mr. President, I am sorry that we should have at this time to enter into a colloquy, a dialog, with respect to American intervention in underdeveloped areas of the world. I am tired, the Congress is tired. The American people are tired of the United States intruding into areas where it should not be.

For the past 30 years, to paraphrase former Senator Taft, we have given the military adventurists what they wanted and they have, indeed, gone everywhere and done everything, getting us involved in everybody else's business from Asia to Latin America and now, it seems, in Africa.

What has it gotten us? I will state that it has gotten us repressive right-wing dictatorships as allies all over the world. It has gotten us thrown out of Southeast Asia and has brought about the collapse of three pro-Western regimes. It has gotten us hundreds of billions of dollars in debt for weapons and more weapons. It has cost us 55,000 American lives. It has brought us to the point where we have so alienated third world nations of the United Nations that we cannot even muster the votes to defeat a totally irresponsible resolution on Zionism.

Now, once again, the phoenix of military adventurism in the guise of making the world safe for democracy has risen from the ashes of Southeast Asia.

It seems we were not content to alienate half the world over our involvement in Vietnam, we are now determined to

alienate the other half of the world with regard to an involvement in Africa, in Angola, and side by side no less with the repressive white supremacist regime in South Africa.

That, Mr. President, is the crux of the situation in South Africa.

The South Africans have hundreds if not thousands of troops assisting the Union for the total independence of Angola.

On top of that, hundreds of white mercenaries have been hired from all around the world, many from the United States itself, to fight on the side of the South Africans and their allies.

The racial inference is clear.

In response to the South African intervention, 13 African states have declared their public support for the MPLA and even more have privately indicated their backing.

The largest single black state in Africa, and unquestionably the most influential and basically pro-Western, Nigeria, has even allowed the Soviet Union to use facilities in their country to supply MPLA forces.

Why is this? Do the Africans not realize the danger of Soviet interventionism? Why does a country like Nigeria, whose pro-Western attitudes have been demonstrated again and again, indeed whose ruler is Western educated, a Sandhurst graduate, fail to perceive the threat to its security posed by Cuban and Russian advisers?

Mr. President, the reason is that the Africans do not perceive this as the grand checkmate move in Soviet world strategy that Secretary Kissinger does. They see it for what it is: an internal conflict growing more out of tribal animosities than from any real difference in ideology.

They do not like Soviet intervention any more than we do, but they like South African intervention even less.

They point out that this is the first time the South African forces have entered into combat on the soil of another African nation and they view that as a direct threat to their own independence.

By going in on the side of the South African backed faction, we are not only not acting to limit Soviet penetration in Africa, we are opening wide the door to charges that the United States has always been and always will be on the side of the reactionary regime in South Africa, rather than on the side of African independence and racial equality. The damage that such an inference will do is enormous.

Nobody wants to stand by and let the Soviets run roughshod over Africa, nobody wants to see the Soviet ensconced in a West African base astride our vital oil lanes.

But I ask, what have we gained if, at a cost of millions in American dollars, we save Angola and lose the entire continent of Africa in the process because of our support for the South Africans?

If the Soviets are taking advantage of the Angolan situation, as indeed I believe they are, then let us go to the heart of the problem, the leadership in the Soviet Union. Let us make it clear to them that we view their interference there as inconsistent with détente that if they want progress in the SALT talks if they want American technology and investment

and, most important, if they want American grain now or any time in the future they had better seriously weigh the cost of the intervention in Angola.

It has disturbed me for some time that the United States is perfectly prepared to take the one real economic weapon that we have available to us, our agricultural supplies, our wheat and feed-grain, and enter into long-term agreements with the Soviet Union without getting any commitment on the part of the Soviet Union that they are going to start living up to their responsibilities under SALT, under Helsinki, and under Vladivostok. But more particularly, and specifically as it relates to Angola, that they are going to stay out of tribal brushfires.

I personally cannot see the United States sending large shipments of grain to the Soviet Union which they desperately need in order to satisfy their own people and also to meet their own foreign policy commitments, if much of the grain we ship to the Soviet Union is, once again, used by the Soviets to free supplies for allies like the MPLA. It makes no sense for us to do that when they are going, to ignore, in the case of Angola, the principle of restraint that the United States considers to be vital for the maintenance of world peace.

And the same is true of the Cubans. If they want the East-West thaw to apply to them, then it should be made very clear that as long as they are sending troops to Angola, there will be no changes in American policy toward the Castro regime.

In short, let us take action to stop the Soviets and the Cubans. But let us not do it unilaterally and through the use of any American advisers or "volunteers" or through the massive introduction of American military might. The time is long past due to sit down with our African friends like Nigeria and Zaire, or at the Organization of African Unity and work out a common approach.

But above all, let us not ignore the feelings of those who stand to proximately gain or lose most from a great power confrontation in Angola—the Africans themselves. We must keep a close reign on the arrogant attitude that says we have the duty or the destiny or even the right to prescribe the course of government of an African state which our own policies have largely ignored in the past.

In the poll after poll in recent years the American people have made it clear—no more Vietnams. We, in this country are prepared to fight to defend freedom. We are no longer prepared to squander the lives of our young men and our treasure in foreign policy adventures that bear no true relation to our own national security.

Mr. MORGAN assumed the chair at this point.

Mr. TUNNEY. I do not believe we can sustain any additional inflation.

Mr. CRANSTON. Mr. President, I would like to applaud my colleague for the leadership he is displaying in this matter, for all the reasons he has expressed, and also for the reasons expressed by the majority leader (Mr. MANSFIELD). I am totally in support of the effort to learn all the facts about

Angola, and to make certain that we do not get dragged, by any means or to any degree, into a situation more similar to Vietnam than Angola already appears to be similar to Vietnam. If we let this legislation or any other legislation that has any direct relevance to Angola pass without knowing what we are doing first, we could well be involved in another Gulf of Tonkin resolution.

The fact that the Senator from California has made plain that he does not want to vote on this until we know what we are doing is a very significant action taken by my colleague.

If I may, I would like to have the attention of the chairman of the committee and to ask a very few questions of him.

The conference report states:

The conferees also agreed to a reduction of \$64,300,000 in intelligence activities instead of a reduction of \$94,500,000 as proposed by the House and a reduction of \$28,900,000 as proposed by the Senate.

I would like to ask the distinguished chairman, so we can know what we are doing before the vote on this conference report, if any funds for Angola are included in this measure?

Mr. McCLELLAN. There are no funds included in this measure for Angola, specifically so. Whether any funds under this bill could be used is another question. That is a matter that three committees can determine, including the Foreign Relations Committee, the Armed Services Committee and the Appropriations Committee. I believe hearings are already scheduled.

There are no specific funds in this bill for Angola.

Mr. STONE assumed the chair at this point.

Mr. CRANSTON. I thank the chairman very much for that direct response. I gather that while funds are not earmarked for Angola, funds which are being appropriated in this measure could be used for Angola.

Mr. McCLELLAN. I am not saying that there are or are not. As the Senator knows, there is certain intelligence information that we cannot give out, although we have three intelligence committees. One is a subcommittee of the Appropriations Committee; one is specific members of the Armed Services Committee; and another is the members of the Foreign Relations Committee.

Mr. CRANSTON. If the measure does contain funds that could be used for Angola, would there be merely an advice to the appropriate committees that the administration proposed to do so?

Mr. McCLELLAN. What was the question?

Mr. CRANSTON. Would there be merely information given to the Appropriations, Foreign Relations, and the Armed Services Committees that the administration decided to do this, or would there be a veto in the hands of the Senator's committee?

Mr. McCLELLAN. They can do that, yes.

Mr. CRANSTON. Would the Senator's committee have a veto over the use of such funds?

Mr. McCLELLAN. I think it is required that we be advised.

Mr. CRANSTON. Is that a matter where the whole committee would be advised or just the chairman and the ranking minority member?

Mr. McCLELLAN. Under the present rules and the way we operate, it would only be those on the Intelligence Operations Subcommittee, together with the specifically designated members of the other two committees, the Foreign Relations Committee and the Armed Services Committee. The entire Foreign Relations Committee, I understand, would have that information.

Mr. CRANSTON. Could I ask if the chairman was consulted before a decision was made in the administration, I gather by the 40 Committee, to earmark \$50 million for Angola?

Mr. McCLELLAN. I could not go into that matter here in the Chamber.

Mr. CRANSTON. I would like to ask one other question of the chairman and then I would like to ask a question of the Senator from Iowa (Mr. CLARK).

I gather from a report of the New York Times, and that is my only source for this information, an article by Seymour Hersh which appeared December 14, that in the spring there was \$300,000, according to that story, earmarked for Angola. By July that was \$10 million. Then it was raised to \$25 million and now it is up to \$50 million. Has there been full consultation with the chairman's committee as those increases in funds have been allocated?

Mr. McCLELLAN. I cannot go into that information here in the Chamber. As the Senator knows, this is an arrangement which has been made and I am simply carrying out what has been the practice heretofore. If the Senate would want to pass a resolution making public all information available, of course, it has the power to do so. But until that is done I would have to observe the present requirements. The Foreign Relations Committee has equal power to make everything public if it wanted to, I believe.

Mr. CRANSTON. I thank the chairman very much.

I would like to ask the Senator from Iowa (Mr. CLARK) one question.

Was the Foreign Relations Committee informed "in a timely fashion" under the Hughes amendment to the Foreign Assistance Act of last year when \$50 million was allocated by the administration, apparently by a decision of the 40 Committee, to Angola?

Mr. CLARK. Under the Hughes amendment, the Foreign Relations Committee and the Armed Services Committee are advised after the fact. There is no requirement, no veto, no action that those committees may take. I understood the chairman of the Appropriations Committee to say that they, in fact, have a veto in the sense, I assume, that they could refuse to transfer funds. But the Foreign Relations Committee is simply reported to after the fact, and they have no jurisdiction over it for decision. They have no veto.

Insofar as I know, they have no way in which to register their disagreement other than simply saying so. But certainly the President and the administration are in no way bound by what they say.

In terms of being informed, although the Hughes amendment calls for the full committee to be advised, the fact is it is done by convenience. The chairman and the ranking Republican are advised and then a circular goes to the remainder of the committee. Any other members of the committee who wish to be briefed on that briefing are briefed, if they so desire.

Following the fact, after the decisions were made, those reports were regularly made to the committee.

Mr. CRANSTON. I thank the Senator very much. I yield the floor.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from California.

Mr. TUNNEY. Mr. President, I am delighted to be able to yield the floor and yield to the Senator from Idaho. I just have one statement that I wanted to make in conjunction with what my distinguished colleague from California said and then I shall yield.

One of the things which has disturbed me about the moneys that we are providing in Angola is that they are shrouded in a cloak of secrecy. I can understand why our distinguished colleague from Arkansas, the chairman of the full committee, feels that in the Chamber he is bound by the confidentiality of the information he has received from the Department of Defense and presumably from the CIA. But on the other hand that does not help those of us who have to vote on a procurement bill, some of which money may be provided to Angola. In effect, we are going to be voting for moneys which may be used in a way that we do not want them used.

I cannot help but think that we are entitled to have the information, not necessarily from the distinguished chairman of the Appropriations Committee, but from the CIA and the Pentagon as to how those moneys are going to be used and whether or not they are going to be used in Angola.

This morning a member of my staff called the CIA and asked them to come and discuss with me the question of moneys for Angola. Their representative said that they would be happy to discuss with me what the Soviets were doing in Angola but they could not discuss with me what we were doing in Angola, which seemed to be a kind of ironic commentary on the nature of doing business around Washington.

I, for one, cannot help but feel that if we look to the future, as we see what Ambassador Moynihan said today, about how important the sea lanes are and how important the oil in Angola is, and if you tie that into what the Secretary of State said recently about the importance of Angola, that we are preparing a full-scale intervention in Angola insofar as the shipment of American arms and money to that beleaguered part of the world is concerned. And I am very deeply concerned about it. I, for one, do not think we ought to have a vote on this appropriation bill until some of us who are involved in the same shroud of ignorance that I am shrouded in—I think we just cannot have a vote until we get a better understanding of what is going on. As such I plan to request a closed session of the Senate so we can get some

answers to the questions on Angola. I am happy to yield to the distinguished Senator from Idaho.

Mr. CHURCH. I thank the Senator very much.

First of all, Mr. President, let me say that the Select Committee on Intelligence, which has been charged with investigating all of the intelligence agencies, including, of course, the CIA, was briefed in considerable detail sometime ago on this covert action in Angola.

Our committee operates under very strict rules of secrecy. It has been one of the most leakproof committees ever to conduct a major investigation; and so members of the committee and of the committee staff were very careful to say nothing about the actions being taken by the United States in that African country.

But the discussion on the floor this morning underscores the need for different arrangements in Congress in order to deal with significant covert operations. As the Senator from Iowa (Mr. CLARK) has said, under present law certain committees of Congress, including the Foreign Relations Committee and the Armed Services Committee, are simply advised after the fact, as indeed we were on the very committee that is charged with the principal responsibility of investigating the activities of these various intelligence agencies. We, too, were advised after the fact.

If Congress is ever to have a check on covert action abroad, then new procedures must be established. I would hope that Congress would choose, in the months immediately ahead, to establish a permanent oversight committee on intelligence, which would be empowered not only to obtain all such information, but, whenever a significant covert action is contemplated by the executive, that this special committee on oversight would have advance notice of the intention, so that the committee could consult with the executive and express its own views before the operation began.

It comes close to comedy, I think, that the Congress of the United States, acting through its responsible committees, should have no other function but to be advised, after the fact, of an involvement so serious that it could broaden into another war. And that comedy turns into tragedy when Members of Congress must read about such an operation, for the first time, in the Washington Post, and learn that the details concerning the operation have been disclosed by our representative at the United Nations, Mr. Daniel Patrick Moynihan, in a television broadcast.

That is the predicament in which we find ourselves. And what is it, Mr. President, that our Ambassador, Mr. Moynihan, says in justification of what he now reveals to be a \$50 million operation in Angola? What is the justification he gives for it? Let me read from the Washington Post:

U.N. Ambassador Daniel Patrick Moynihan warned today that if the U.S. opposition to Soviet activities in Angola ends, "the Communists will take over Angola, and thereby considerably control the oil shipping lanes from the Persian Gulf to New York."

Moynihan also warned that the Soviet Union would then control a "large chunk of

Africa" and pose a military threat to Brazil. "The world will be different in the aftermath. If they succeed," he said.

Well, now, Mr. President, if we have not lost all of our commonsense, I suggest that such exaggerated statements about the importance of Angola and the effect of Russian influence there are so extreme as to be part of what Mr. Moynihan himself last week described the General Assembly of the United Nations as being, that is to say, a theater of the absurd. These arguments belong in a theater of the absurd.

If Angola is of such vital interest to the United States that we must begin to spend millions of dollars in a mushrooming war there to prevent a Soviet-backed faction of Angolans from forming the government, then there is no country anywhere in the world concerning which an American intervention could not be justified. Shades of the arguments that led us into Vietnam. I sometimes think that our policymakers are like the Hapsburgs who remembered everything and learned nothing. If they had learned anything about recent African history, they would know that what is happening in Angola is that two factions are making use of the Soviet Union, on the one hand, and the United States, on the other, to provide each contending group with money, weapons, and the wherewithal to carry on a civil war. Whichever side wins, that side will be Angolan. It will not be Russian; it will not be American. It will be Angolan.

In Africa today there is no compulsion that can be equated with the compulsion and desire for independence, and by that I mean not simply juridical independence, which now has been achieved by the severance of the ties that bound Angola to Portugal, but actual independence from foreign domination.

These young African countries will not be dominated for long by any foreign power, least of all a white power. It is our short-sightedness that leads us into such follies as Angola.

I remember when the same arguments were being made about Algeria. It was said that the newly formed independent Government of Algeria under Ben Bella was a Russian satellite and that we had lost one of the most important countries of Africa, bordering on the Mediterranean itself.

Angola borders on the South Atlantic. It is closer to Antarctica than it is to Washington or to Moscow.

But what happened in Algeria? It was only a matter of a few months until the very tanks the Russians had supplied the Algerian Army encircled Ben Bella's palace, and Mr. Ben Bella was abducted, disappeared, and later assassinated, by the new government which had taken over.

I can remember how concerned we were about the extent to which the Russians had moved into Egypt, but the Egyptians turned out to be more concerned. Mr. President, and it was not long until the Russians were unceremoniously pushed out of Egypt.

If we took a longer view of history, I think we would not become so frightened by interventions in Africa on the part of the Russians. We would adopt a policy that does not simply mimic the Russians.

December 15, 1975

CONGRESSIONAL RECORD — SENATE

S 22155

Furthermore, as the Senator from California points out, once we intervene in these post-colonial civil wars, we almost invariably intervene on the wrong side, and that is what we are proceeding to do in Angola, for our Ambassador, Mr. Moynihan goes on in this article to warn about the convergence of our policy with that of South Africa.

Can Senators imagine a convergence more self-defeating, more calculated to guarantee that the faction we now choose to support will lose?

It does not take a student on African affairs to understand that any convergence with South African policy in that part of the world is tantamount to the guarantee of ultimate defeat.

So I suggest that the arguments presented by the Senator from California are eminently sound. We do not belong in Angola. We ought not to participate there in a conflagration that could be open-ended. Congress, at the very least, before voting money, had better find out now, what we are getting into. We had better have an up-and-down vote in this Senate so everyone can assume a responsibility for what ultimately may follow.

I commend the Senator for his effort to do just that.

Also, before I close, I wish to congratulate the distinguished Senator from Iowa on an amendment he has offered to the military aid bill which is now pending in the Committee on Foreign Relations. That amendment is similar to certain amendments with which I was associated in the effort to limit and finally to bring an end to the war in Vietnam and in Cambodia, because it relates to the purse strings. It would provide, if enacted, that no money in the military assistance bill or any other bill could be used for the purpose of financing this involvement on our part in the Angolan civil war.

I hope, one way or the other, that Congress soon faces up to this issue, and I commend both Senators for their efforts in this regard.

Mr. TUNNEY. Mr. President, will the Senator yield for a 15-second observation?

Mr. CLARK. Yes.

Mr. TUNNEY. I do not wish to take any time of the Senator from Iowa. We only have 5 minutes remaining before the vote on another matter.

But at the appropriate time this afternoon, I plan to make a request for a secret Senate session, so that we can hear more from the distinguished chairman of the Committee on Appropriations and anyone else who has any information on the subject matter of whether funds in this appropriation would be made available or could be made available to Angola.

Mr. ROBERT C. BYRD. Mr. President, will the Senator yield?

Mr. TUNNEY. Yes.

Mr. ROBERT C. BYRD. The Senator is aware that at 1 p.m. we have a vote on the treaty, and upon the disposition of the vote on the treaty, under the order

previously entered, the Senate takes up the tax bill. I mention that as something the Senator might wish to think about.

Mr. TUNNEY. I shall have a chance to discuss it with my distinguished leader during the next few minutes while the Senator from Iowa is making his remarks, but I wish today to have an understanding that we would have a secret session, or I shall make a motion that we do have a secret session to bring out the facts as they relate in this appropriations bill to Angola.

Mr. CLARK. Mr. President, I join the Senator from California, and at the appropriate time I shall second the amendment to go into a closed session, because it seems very important that we not pass on money here today that could indeed be used in Angola without the Senate's knowledge.

The chairman of the Committee on Appropriations is entirely right in saying that ought not be done here in public session. For those reasons, it is wise to wait until that time.

As I understand it, in 2 minutes we are going to move to a vote, so I wish to, in effect, take some time later this afternoon when this bill comes back in the Chamber again, but let me say that—

Mr. ROBERT C. BYRD. Mr. President, will the Senator yield?

Mr. CLARK. Yes.

Mr. ROBERT C. BYRD. For his consideration, the bill may not necessarily come back in the Chamber this afternoon. But at such time as it is again before the Senate, Senators will have their rights.

Mr. CLARK. That is correct.

But I join with the distinguished Senator from Idaho in commenting very briefly on Ambassador Daniel Moynihan's comments on television yesterday which were reported in the Washington Post today saying that the Communists will take over Angola and thereby considerably control the oil shipping lanes from the Persian Gulf to New York and that further it poses a military threat to Brazil.

I suggest, Mr. President, that there is a very good chance that this does not represent our Government's position.

As a spokesman from the State Department is quoted as saying later in the article, Mr. Moynihan seems to have a special talent for taking positions for the administration, which the administration in fact does not support itself.

I have been advised on many occasions over the last several weeks about Angola, both from the CIA and the State Department, and no one has ever suggested for one moment that our interest there involved Brazil or the oil shipping lanes from the Persian Gulf to New York. It is a ridiculous assumption. Senator Church is right in referring to this as an absurd comment.

Indeed, the Ambassador's statement in the United Nations and the General Assembly this year make him one of the most absurd of the players, I think.

I simply say that I wish to ask the chairman of the Committee on Appro-

priations when we go into closed session, and I shall ask him now at least so that he might give some consideration to this question, whether in fact it is possible, that is to say, legally possible, that there is money in this bill which could be used for covert activities in Angola. I do not expect him to answer on that in open session. But that will be my question.

Mr. President, I intend to return to this subject when this matter is before the Senate later in the day or later in the week.

Mr. TUNNEY. Mr. President, will the Senator yield?

Mr. CLARK. I yield.

Mr. TUNNEY. Mr. President, the Senator's work in the Committee on Foreign Relations is commendable. I feel that insofar as this appropriation bill is concerned, we should be prepared to have a very clear understanding that none of the money is going to be available for Angola. I am prepared to offer an amendment at the appropriate time that no money can be used for such purpose.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to proceed for 1 minute before the vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS SUBMITTED ON DOD APPROPRIATIONS CONFERENCE REPORT

THE SENATE SHOULD REJECT THE DOD APPROPRIATIONS CONFERENCE REPORT

Mr. HATFIELD. Mr. President, I urge my colleagues to join me in voting against the conference report on the Defense Department appropriations bill. Even though the amount appropriated is approximately \$250 million below that approved by the Senate, it is still at the staggering level of \$112,426,984,000 for the fiscal year 1976 and the transition period. This amount is far more than adequate to defend this country, maintain our commitments abroad, and insure military strength second to none. In addition, the bill includes funds for several weapons systems which are either unnecessary or dangerously destabilizing in terms of the nuclear balance.

In its action of the bill, the Senate deleted advance procurement funds for the controversial B-1 bomber, thus postponing a final production decision until such time as the projected costs and benefits of this airplane could be analyzed on the basis of more complete test results. In conference, these advance procurement funds were restored in return for a reduction in research and development funds.

Mr. President, as we all are well aware, there has been considerable debate about the practicality of a manned strategic bomber in this age of ICBM's and SLBM's with MIRV and possibly, MARV warheads. I for one believe that this bomber is not needed and that we should not build it. Even those who disagree on that point, however, can agree that we should not provide procurement funds until the decision has been made.

Another item: The conference agreed to funding for 4 AWACS aircraft, two more than the House originally provided

S 22156

CONGRESSIONAL RECORD—SENATE

December 15, 1975

for, and two less than the Senate included in its bill. Time and again, Mr. President, our distinguished colleague from Missouri (Mr. EAGLETON) has led this body in debate on this aircraft, and demonstrated its inefficiency and ineffectiveness. Further tests recently have not dissipated doubts about the aircraft's performance of its mission. The security of our Nation and that of our allies is not improved by this airplane, and we certainly cannot afford it.

The House agreed to the substantially higher Senate figure for the XM-1 tank, and thus we are to vote soon on funding a weapon that has been made obsolete by technological advance. Students of the Yom Kippur war, Mr. President, know that tank losses were very serious, so serious, in fact, that more tanks were lost on both sides in that short war than were lost in all of World War II. Only a few of those losses were attributable to airplanes, and a good number of the Israeli losses were attributed to use of the Russian "Sagger" missile, a TOW missile similar to our own. Tube-launched, optically sighted, wire-guided—TOW—missiles are cheap, easily used, and very effective. Million-dollar tanks that can be destroyed by \$10,000 missiles carried by a two-man team are not cost-effective, and should not be built.

Finally, Mr. President, the conference report agrees to the Senate's restoration of funds cut by the House for the development of the air-launched cruise missile. I consider this to be the worst element of this conference report. The House's action had offered some hope that cruise missiles could be stopped short of production and deployment, thus avoiding another escalation of the arms race, even though funds for the sea-launched cruise missile were left untouched. Cruise missiles, and especially sea-launched cruise missiles, are terribly destabilizing to the nuclear balance, pose serious threats to ongoing SALT negotiations, could render meaningless the Vladivostok Accords, and would add a fourth leg to the TRIAD even while we are constantly being assured that TRIAD gives us the upper hand. There is no necessity for this weapon whatsoever, but since technology makes it possible, missions will be invented for it and funds appropriated for its development, despite the serious consequences.

Mr. President, I intend to say more on the subject of cruise missiles when the Senate next considers the authorization bill. At this time, let me only say that money for this weapon alone is sufficient reason to vote against the conference report. Combined with the other items I mentioned, the case is more compelling, and I urge my colleagues to vote against this measure.

Mr. CRANSTON. Mr. President, earlier today, during debate on the defense appropriations bill conference report, there was a discussion of CIA funding of activities in Angola. I ask unanimous consent that an informative article on the Angola aid issue, written by Seymour Hersh in

Sunday's New York Times be printed in the RECORD. I hope my colleagues will note the different installments approved for Angola within the executive branch—by the Forty Committee—and then ask: When did Congress approve or authorize these moneys? Or did it?

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ANGOLA-AID ISSUE OPENING RIFTS IN STATE DEPARTMENT—HEAD OF BUREAU OF AFRICAN AFFAIRS SAID TO HAVE QUIT OVER KISSINGER REJECTION OF HIS BID FOR A DIPLOMATIC SOLUTION

(By Seymour Hersh)

WASHINGTON, December 13.—A sharp dispute over covert operations by the Ford Administration in Angola has bitterly divided the State Department and resulted in the resignation of the head of its bureau of African affairs, according to well-informed government sources.

The sources, in a series of interviews this week, said that the bureau head, Nathaniel Davis, resigned in August as Assistant Secretary of State for African Affairs after Secretary of State Henry A. Kissinger rejected his recommendation that the United States seek a diplomatic solution in Angola and play no active role in the country's civil war.

In fact, a number of sources said, Mr. Davis resigned a few weeks after a high Administration body, acting upon the strong recommendations of Secretary Kissinger and William E. Colby, Director of Central Intelligence, authorized the covert shipment in mid-July of up to \$10 million worth of arms to two factions in Angola.

WHEN OPERATIONS BEGAN

The Central Intelligence Agency has since been authorized to provide at least \$50 million worth of arms to the National Front for the Liberation of Angola and the National Union for the Total Independence of Angola, which have joined forces to oppose the Soviet-backed Popular Movement for the Liberation of Angola.

[In London, where Secretary Kissinger was conferring with British officials, reporters were told that he was understood to feel that the United States acted slowly in Angola last summer because of the repercussions from past revelations of covert American operations. The American support in Angola was to counter heavy shipments of arms to the Popular Movement by the Soviet Union and the presence of Cuban fighting men on that faction's side.]

"UTTERLY WRONG"

The sources, who have had access to many communications between Mr. Davis and Mr. Kissinger, said that Mr. Davis began expressing opposition to the Angolan policy shortly after his appointment as an Assistant Secretary last April.

"Davis resigned," said an official who is closely involved, "because he believed the policy was utterly wrong. The decision had gone against him and he was unable to carry out a policy he was inimically opposed to."

Steven Wagensell, a State Department press officer, said that the Department would have "no comment" on the disclosure.

Mr. Davis, a career diplomat who has since been reassigned as Ambassador to Switzerland, refused to comment late yesterday after being told the gist of the report.

THE CHILEAN FACTOR

The State Department did not formally announce his resignation, or the reasons behind it. But an unidentified spokesman told

the Washington Post late in August that Mr. Davis had left his assistant secretaryship post because of opposition from African leaders and the Black Caucus in Congress. That opposition was said to have stemmed from the fact that Mr. Davis was Ambassador to Chile while covert C.I.A. operations were going on there.

At the time, it was said, opposition to the Angola policy was widespread throughout the Bureau of African Affairs and, after a thorough review of the Angolan situation in late spring, the Bureau recommended that the United States stay out of the conflict.

In recent months, many sources said, there has been a series of personnel changes in the bureau and orders have been issued severely limiting to only a few of its key officials the distribution of classified cables and other documents relating to Angola.

ANOTHER CUTOFF REPORTED

In addition, the sources said, a similar cutoff to intelligence information has been authorized for many officials involved with African affairs inside the State Department's Bureau of Intelligence and Research. That bureau also expressed formal disagreement last summer with the decision to begin supplying arms and other aid to anti-Communist factions in Angola.

All of the officials interviewed were quick to express dismay and anger at the Soviet Union for its decision early this year to increase military shipments to the Popular Movement.

DAVIS STRESSED DIPLOMACY

The sources said, however, that Mr. Davis and others in the State Department repeatedly argued that the appropriate United States response should be diplomatic.

"Davis argued that we must mount a diplomatic effort—a multinational effort—to get a settlement," one official said. "He said we must trumpet it to the world that this is not the right kind of activity for any great power."

The question of how to respond to the initial Soviet increases in military aid shipments was discussed sometime in the spring by an interdepartmental group in the Ford Administration, another source said, and the only official who favored direct United States involvement was Secretary Kissinger.

"Kissinger in effect told Davis," an official said, "that he wasn't giving him the results he wanted."

A number of State Department officials and other sources expressed anger at Mr. Kissinger's decision to recommend direct United States involvement in Angola. "He was given the best advice there was and it didn't fit what he wanted to do," one official said. "He wanted to face off the Russians right there—in Angola."

THE FIRST BIG MOVE

Officials said that the first significant decision on Angolan policy was made in the spring, when the Administration authorized the C.I.A. to supply about \$300,000 in military arms and aid to the National Union for the Total Liberation of Angola, led by Jonas Savimbi. Mr. Savimbi had been receiving some military aid from China for years but by early this year, the sources said, he was actively seeking funds from other nations in Africa as well as from the United States.

The funds were authorized after the C.I.A. formally began reporting the increases in Soviet military aid to the Popular Movement. The agency, it was said, led by Mr. Colby and James Poff, the C.I.A.'s director of African affairs, urged the United States to respond by increasing its involvement.

The C.I.A. also has been aiding the National Front, headed by Holden Roberto, since the early 1960's, much of that help being funneled through neighboring Zaïre, headed by President Mobutu Sese Seko.

One official recalled that Mr. Davis argued in the spring that "once you put Savimbi in the game and once you continue to help Roberto through Zaïre, that's a signal to the Russians that we're going to face them off."

"A little bit of Soviet stuff had been going in all year," said an official with access to intelligence about American involvement in Angola. Larger Soviet shipments did not begin, this official said, until after the United States decided to help supply Mr. Savimbi and further decided, at a formal meeting of the "40 committee" in July, to ship millions of dollars worth of supplies to Angola.

The "40 committee" is a four-man subcommittee of the National Security Council with a responsibility for approving all proposals for covert intelligence activities carried out by this country abroad. Mr. Kissinger is the committee's head, and the other members are Mr. Colby, William Clement, Deputy Secretary of Defense, and Gen. George S. Brown, Chairman of the Joint Chiefs of Staff.

"IT WON'T WORK * * *

A number of sources noted that Mr. Davis, in a steady stream of memoranda sent to Mr. Kissinger and others this summer, cited three main arguments against increased United States involvement in Angola.

"First of all," said an official directly involved, "Davis told them it won't work. Neither Savimbi or Roberto are good fighters—in fact, they couldn't fight their way out of a paper bag. It's the wrong game and the players we got are losers."

Secondly, the official quoted Mr. Davis as having argued further arguing that when the United States' efforts ended in failure, that failure inevitably would be extremely damaging to the two leading African moderates who are American supporters, Presidents Mobutu of Zaïre and Kenneth D. Kaunda of Zambia.

Finally, the official said, Mr. Davis argued repeatedly that the United States would end up with racist South Africa as its only African ally.

"For years," the official added, "South Africa has pushed the line that the black liberation movements were arms of Communism. Resisting that argument has always been sensible African policy" for the United States. "Now, of course," he said, "we and South Africa are allies."

As many as 1,000 white South Africans * * * and fighting against the Popular Movement.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I have been requested by several Senators that there be a closed session of the Senate to discuss the questions of Angola. This is to serve notice that at 9:15 on Wednesday morning next, a closed session will start.

Do the Senators have any idea how long they would like to have that closed session last?

Mr. TUNNEY. I think that 2 hours, at least, would be needed on the subject.

Mr. MANSFIELD. Mr. President, for the information of the Senate, it will be a session for not to exceed 2 hours. I ask unanimous consent that that be the case.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCLELLAN. Mr. President, reserving the right to object—

The PRESIDING OFFICER. The Chair withdraws the ruling.

Mr. McCLELLAN. I have no intention of objecting, but for clarification, is there to be controlled time?

Mr. MANSFIELD. Yes, indeed. The time will be controlled by the distinguished chairman of the committee, the manager of the bill, the senior Senator from Arkansas (Mr. McCLELLAN), and the Senator from California (Mr. TUNNEY).

The PRESIDING OFFICER. Is there objection?

Mr. CASE. Reserving the right to object, Mr. President. I just want to know what we are agreeing to.

Mr. MANSFIELD. That we go into closed session at 9:15 on Wednesday morning next and that the time for the closed session not extend beyond 11:15 a.m.

Mr. CASE. This would be on what legislation?

Mr. MANSFIELD. Angola—in relation to the conference report on the defense appropriation bill.

Mr. McCLELLAN. What they really intend to go into is the question of intelligence information, whether or not to make it public. That is really what is involved—whether everything regarding Angola be made public, regarding the funds that may be in the bill.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the time be extended.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCLELLAN. It covers the entire question of intelligence as it affects appropriations. That is what is involved.

Mr. MANSFIELD. Mr. President, I understand that the agreement for a closed session is automatic.

Mr. GOLDWATER. Mr. President, reserving the right to object—

The PRESIDING OFFICER. The Chair notes the further reservation.

Mr. GOLDWATER. Mr. President, reserving the right to object—and I will not object—I merely want to ask a question of the majority leader. No amendments can be offered to the conference report. Is that correct?

Mr. MANSFIELD. That is correct.

Mr. GOLDWATER. We vote the conference report up or down. Nobody can offer an amendment. Is that correct?

Mr. TUNNEY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. TUNNEY. A motion to recommit would be in order, would it not?

Mr. MANSFIELD. Yes; it would.

The PRESIDING OFFICER. Only if the Senate were acting first.

Mr. CASE. I just want to be sure, Mr. President, on what this time is to be used.

The PRESIDING OFFICER. The House already has agreed to the con-

ference report, so a motion to recommit would not be in order.

Mr. TUNNEY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. TUNNEY. But it would be in order to offer an amendment, if the conference report were defeated, to send it back to conference, with instructions. Is that correct?

The PRESIDING OFFICER. There are certain amendments in disagreement on which an amendment could be in order.

Mr. TUNNEY. It would be appropriate to offer instructions to the conferees?

The PRESIDING OFFICER. That would be possible.

Mr. McCLELLAN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. McCLELLAN. That would apply only to those amendments in disagreement, would it not?

The PRESIDING OFFICER. The Senator is correct.

If the Senate rejected the entire conference report, the entire matter could go back to conference.

Mr. CASE. Mr. President, reserving the right to object, if that time could be extended to 12 o'clock, I think it would be a good idea, because this is a rather important matter.

Mr. MANSFIELD. I know it is an important matter. I am keeping in mind that we are trying to get out by Friday next, and we have a very difficult schedule. However, I ask unanimous consent that beginning at 9:30 and not extending beyond 12 o'clock, there be a closed session of the Senate.

The PRESIDING OFFICER. Is there objection?

Mr. GRIFFIN. Mr. President, reserving the right to object, with a vote thereat. Is that correct?

Mr. MANSFIELD. If a vote is requested, yes. If a vote is requested, it will occur at that time.

Mr. GRIFFIN. Whether it is a rollcall vote or not, there will be a vote on the conference report.

Mr. MANSFIELD. Yes—at that time.

Mr. TUNNEY. Mr. President, there is no unanimous-consent request, is there, on time for a vote?

Mr. MANSFIELD. No, but I shall make that request now, because I think at the end of 2½ hours, we should be ready for a vote, one way or the other.

Mr. TUNNEY. Could that request be made after we finish the secret session?

Mr. MANSFIELD. The Senator is aware of the schedule which confronts the Senate this week. We have a common situs picketing conference report. We have this conference report. We have the emergency energy conference report. We have the tax matter. It would be my hope that the Senator would not push his luck too far and would agree to vote at 12:30, because no minds will be changed after that time.

Mr. TUNNEY. I would like to have an

opportunity to discuss the unanimous-consent request with the majority leader before I would concur.

Mr. MANSFIELD. Mr. President, I withdraw my request, except for the 2½ hours.

The PRESIDING OFFICER. Is there objection?

Mr. McCLELLAN. Mr. President, reserving the right to object, do I correctly understand that the request for time carries with it a request for control of the time as suggested by the distinguished majority leader?

Mr. MANSFIELD. That is correct—between the Senator from Arkansas, the manager of the bill, and the Senator from California (Mr. TUNNEY).

Mr. McCLELLAN. Is it from 9:30 until 12?

Mr. MANSFIELD. Not to exceed 12.

Mr. TUNNEY. Will the Senator from Montana indicate whether he feels that one-half hour in open session after the secret session would be appropriate? If so, I would agree to a unanimous-consent request that the vote on the conference report occur one-half hour after the secret session, assuming that that half hour was used for consideration of the conference report.

Mr. MANSFIELD. Will the Senator from California allow the Senator from Montana to make a counterproposal?

I ask unanimous consent that the closed session begin at 9:30 and end no later than 11:30 and that the vote occur at 12 o'clock.

Mr. TUNNEY. Yes, I concur.

Mr. MANSFIELD. I make that request.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. I thank the Senator.

EXECUTIVE SESSION

CONVENTION WITH THE UNION OF SOVIET SOCIALIST REPUBLICS ON MATTERS OF TAXATION

The PRESIDING OFFICER. Under the previous order, the hour of 1 p.m. having arrived, as extended by unanimous consent, the Senate will now go into executive session and proceed to vote on Executive T (93d Cong., 1st sess.), Convention with the Union of Soviet Socialist Republics on matters of taxation.

The resolution of ratification will be read for the information of the Senate.

The resolution of ratification was read, as follows:

Resolved, (Two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Convention between the United States of America and the Union of Soviet Socialist Republics on Matters of Taxation, with related Letters, signed at Washington on June 20, 1973.

ADDITIONAL STATEMENT SUBMITTED ON TREATY

Mr. HELMS. Mr. President, I do not believe that this is the time to approve a new treaty with the Soviet Union, no matter how innocent the particular mat-

ter may seem to be on the surface. One by one such agreements begin to change our whole configuration of relationships with the Soviet Union; yet at the present time there is a growing feeling of unease in those relationships.

We see in Angola, for instance, the first use of Soviet troops outside of Soviet continental interests, despite the spirit that was supposed to be manifest in the Helsinki agreement. We are in the middle of a controversy over Soviet adherence to the SALT I agreement, with claims and counterclaims as to whether the Soviets have violated it or not. In both cases, there are those who argue that the Soviets have not committed violations of the actual letter of the agreement; but instead, with the peculiarly legalistic attitude that they have demonstrated in the past, they blandly ignored the purpose of the agreement even while supposedly sticking to the letter.

So here we have yet one more agreement. There is only one purpose for this convention: It is meant to increase U.S. trade with the Soviet Union. Assistant Secretary Walker, in his testimony on behalf of the convention, says that the purpose is "to achieve tax neutrality with respect to the flow of capital." Is there anyone in this Chamber who believes that it will increase the flow of capital from the Soviet Union to the United States?

Of course not. If there is any flow of capital, it will be from the United States to the Soviet Union.

Moreover, the treaty in article VIII provides that the Convention "shall apply only to the taxation of income from activity conducted in a contracting State in accordance with the laws and regulations in force in such Contracting State." Do we fully understand Soviet laws as they apply to business? Of course we do not. The Soviet system is set up to make free enterprise impossible, so we cannot expect to find Soviet laws that are very hospitable to our way of doing business. How do we know that the "neutrality" or reciprocity supposedly guaranteed in this Convention is not nullified by provisions of Soviet law?

The basic issue is that the Soviet system and the United States system are incompatible. Despite the evident intent to accommodate the treaty to the special conditions in the Soviet Union, we do not really know the impact. Even Mr. Walker admitted that—

It would be extremely difficult to determine arm's length prices between two units of government enterprises and to obtain the necessary access to the financial accounts of the enterprise.

Indeed, there is no comparison to a U.S. company setting up an office in Moscow to deal with state trading companies, and the state trading companies setting up an office in New York. Behind one, you have a normal business enterprise; behind the other, you have the whole resources of a hostile government.

Mr. President, I believe that the time has come to vote against such one-sided treaties in principle, and to reassert the primary interests of the United States.

Mr. THURMOND. Mr. President, I favor foreign trade, but the Soviet Union is even now trying to spread communism into Angola. Russian soldiers are there accompanied by combat troops from the Soviet satellite Cuba.

Massive arms shipments have been sent to Angola by the Soviet Union. The purpose of the Russians is clear. That purpose is to add Angola to the Communist bloc. This agreement is meant to increase our trade with the Soviet Union.

Until the Soviet Union stops trying to take over other countries by force, I not only will oppose this treaty, but I question all commercial intercourse with the Russians.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the resolution of ratification on Executive T, 92d Congress, first session, Convention with the Union of Soviet Socialist Republics on matters of taxation?

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Indiana (Mr. BAYH), the Senator from North Dakota (Mr. BURDICK), the Senator from Florida (Mr. CHILES), the Senator from New Hampshire (Mr. DURKIN), the Senator from Michigan (Mr. HART), the Senator from Washington (Mr. JACKSON), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Alabama (Mr. SPARKMAN), and the Senator from Missouri (Mr. SYMINGTON) are necessarily absent.

I further announce that the Senator from Georgia (Mr. NUNN) is absent on official business.

I also announce that the Senator from Alaska (Mr. GRAVEL) is absent because of illness.

I further announce that, if present and voting, the Senator from Washington (Mr. JACKSON), the Senator from North Dakota (Mr. BURDICK), and the Senator from Missouri (Mr. SYMINGTON) would each vote "yea."

Mr. GRIFFIN. I announce that the Senator from New York (Mr. BUCKLEY) and the Senator from Arizona (Mr. FANNIN) are necessarily absent.

I also announce that the Senator from Tennessee (Mr. BROCK) is absent on official business.

The result was announced—yeas 82, nays 4, as follows:

[Rollcall Vote No. 590 Ex.]

YEAS—82

Abourezk	Bumpers	Curtis
Allen	Byrd	Dole
Baker	Harry F. Jr	Domenici
Bartlett	Cannon	Eagleton
Beall	Case	Eastland
Bellmon	Church	Fong
Bentsen	Clark	Ford
Biden	Cranston	Garn
Brooke	Culver	Glenn

December 17, 1975

administration—if we did not pass this price ceiling the oil men would get Jerry Ford to force an even higher price on the people of the United States.

Mr. PACKWOOD. Mr. President, the ultimate objective of our energy policy is not just to decrease our consumption because "it is a good thing to conserve," or because we will appear to have an energy policy. The ultimate objective of our energy policy must be to make us independent of imported oil. In short, we do not need an energy policy just to say "we have an energy policy"; we need an energy policy to curb our dependence on imported oil. I will vote against the conference report bill because it does not sufficiently stop the flow of Arab oil into this country; it does not sufficiently stop the outflow of American dollars and jobs, which we cannot afford, and it does not sufficiently put us on the road towards energy independence.

The legislation adopted by the Senate and House conferees contains several good attempts to encourage conservation. The bill sets up a system of standby authorities for the President in the event of another crisis or embargo; it delineates a system of strategic reserves; it establishes energy-labeling procedures for major appliances; and it mandates fuel standards for automobiles. Although all of these are good measures, and I supported each of them when they were passed in the Senate as separate bills, they in themselves are not enough. They are not enough to curb the flow of Arab oil into this country. They are not enough to keep American dollars and jobs here. They are well-intended measures, but not enough to be called "an energy policy."

The heart of the problem, and it always has been, is the growing reliance on imports. This results from the fact that our domestic production is decreasing and our domestic consumption is increasing. In order to fill this gap between production and consumption, we must rely on imports. This gap is growing. Unless we take action on both sides of the problem, production and consumption, we cannot have a long-term satisfactory solution.

This bill dabbles on the consumption side, but does nothing to encourage production. Most of the measures set out in the bill were designed to decrease consumption. However, combined with the restrictive pricing mechanism, the so-called average price—the average price of controlled oil and new oil—there is a real possibility that consumption will increase. As the price of oil is held artificially low, the American consumer will be encouraged to buy more. Less attention will be given to the development of energy alternatives. In addition, with an artificially low price, production will fall even further behind the demands of consumers. Result: More imports.

Of three major studies undertaken to show the effects of the conference report legislation, all predict that imports will increase faster with the adoption of this bill than with immediate decontrol. No studies indicate decreasing imports under this bill. Perhaps even more concerning, the Federal Energy Administration pre-

dicts that this legislation will cause an immediate increase of imports over what we would have if we kept the status quo; that means more important with the bill than with the current price controls! A study by Data Resources, Inc., a private think-tank, claims that imports can be expected to rise up to 1,300,000 barrels per day by 1977. The American Petroleum Institute sees imports up an additional 3,400,000 barrels per day by 1980 as a result of this legislation.

Mr. President, this is absolutely contrary to the direction Congress has been proclaiming for the past year. Our initial attempts at forging an energy policy were aimed at reducing the level of imports of 1 million barrels per day within 1 year. Now, if this bill is enacted, we will see the exact opposite: We will have succeeded in increasing our imports by over 1 million barrels per day within a year. This is not energy policy; this is political capriciousness.

I cannot support a bill which has all the trappings of an energy policy, but which is built around a hollow shell. Growing dependence on imports prompted the embargo crisis 2 years ago and proved the strength of the OPEC cartel. To date, Congress has done little to curb that growing dependence. I refuse to vote for a bill which is palliative and a disguise to the real problem.

Mr. MUSKIE. Mr. President, ever since the OPEC embargo plunged the world into the energy crisis 2 years ago, our Nation has been muddling along with no real, comprehensive energy policy. As a result, the very complex problems of energy price, supply and conservation, have been even further complicated by political problems such as Presidential threats to decontrol domestic prices and partisan disputes of who is to blame.

We have an opportunity today to put an end to these problems. We have an opportunity today to give our approval to a rational, comprehensive energy policy for the Nation.

This policy, embodied in S. 622, the Energy Policy and Conservation Act, is not a product of partisan politics, as one might surmise by reading the list of those who signed the conference report. It is, rather, the end result of a thoughtful and bipartisan committee effort, which was marked by an unusual amount of participation by Administration officials. These officials, in fact, assured the conference committee members that the agreed to bill would be acceptable to the administration. And while the President has not yet chosen to indicate his approval, I trust that the assurances given to the Congress by his representatives still hold.

I continue in my trust because I would like very much to see S. 622 become law. I think it makes sense.

Those of us from New England have a special interest in energy policy because of our region's heavy dependence on petroleum. We know firsthand the effects of skyrocketing oil prices and supply shortages. We know that we must have a rational energy policy and we must have it now.

This legislation makes sense for my home State of Maine, for New England,

and for the Nation. It would stabilize prices by rolling them back a small amount immediately and allow them to rise slowly over the next 3½ years. It would guarantee conservation by setting strict standards. And it would give the President the authority he needs to deal with another severe shortage should one occur.

S. 622 represents an important step in moving the Nation toward a brighter energy future. I urge my colleagues to support it.

Mr. KENNEDY. Mr. President, I shall be very brief.

My purpose in these remarks is not to review the many substantive features of the Energy Policy and Conservation Act. The act represents the best consensus possible to achieve a sensible and sound long-run energy program. Other Senators, particularly those who participated in the 5-week conference, have presented these features in detail and argued persuasively why they should become law.

Anyone who has studied the energy issue knows that the United States cannot begin to manage its energy problems without providing for a national strategic petroleum reserve to protect the country from future oil embargoes, a mandatory program of fuel economy for automobiles, an energy efficiency labeling program for major appliances, authority to order the conversion of electric powerplants to coal, incentives for the development of new coal mines, federally funded State conservation programs, industrial energy efficiency targets, and Government access to industrial cost and pricing data. And, of course, S. 622 contains a hard-won compromise on the oil pricing issue, one that probably satisfies no Senator completely but one that, in my judgment, is the best we are likely to obtain in the foreseeable future.

Because the Energy Policy and Conservation Act contains these important provisions it should be approved by the Senate and signed by President Ford.

My purpose in these remarks, however, is to underline for the Senate the likely consequences of S. 622 not becoming law.

As chairman of the Energy Subcommittee of the Joint Economic Committee, I want to stress the serious economic consequences that would occur if this legislation should fail of passage or be vetoed by the President.

Next week the Joint Economic Committee's staff evaluation of the administration's current services budget will be released. Without going into detail prematurely, I can say that this report underlines the highly fragile nature of our present economic recovery.

It points out that by the middle of next year we are likely to be at a point where growth in output will be barely adequate to prevent a new rise in unemployment. Many of the factors in the current recovery, such as the sharp growth of business inventories and the recovery of residential construction, will have subsided. Similar economic analyses have been prepared by the Congressional Budget Office and the Budget Committees of the Senate and House.

In other words, our present economic

December 17, 1975

condition will not permit any additional and unanticipated shocks, such as the sharp rise in fuel prices that surely would occur if all domestic price controls lapse.

Immediate decontrol of oil prices would mean a direct \$20 billion loss in the gross national product. It would mean an increase in unemployment of at least 1 million workers by 1977. And it would bring about an increase in the Consumer Price Index of at least 1.5 percent.

These economic consequences will raise havoc with an economy that already is in a very fragile condition. They will make almost impossible any serious efforts to enact a full employment bill, or a system of national health insurance, or reform of our welfare system.

We will be plunged back into the recession out of which we are just beginning to emerge. Such a development would have the most serious consequences for every American citizen, but particularly for those who already have suffered most from the disastrous economic policies of recent years.

Those would be among the most immediately economic consequences of the Energy Policy and Conservation Act not becoming law.

And, of course, our energy policy would be in total disarray. The one feature that is perhaps the most significant part of the pending bill, even though not a line in the bill is devoted to this provision, is the assurance of certainty in a host of vital energy policy areas.

Once this bill becomes law, producers and consumers of energy will know what to expect and can begin to make their plans accordingly. No longer will there be incentives to do nothing, to wait for Congress and the executive branch to make up their respective minds over energy, before taking decisions that in many cases have been postponed for years.

We will have a framework of basic law that we can continue to refine and improve. But the fundamental groundrules will be in place. We can get on with the business of making this country more sufficient in energy, with due regard for our international obligations and problems. The period of indecision and inaction will be over.

One final word on the subject of energy conservation. This bill contains some highly significant provisions that, at last, will begin a serious national program of conserving our limited energy. But I think it is important that Congress realize these are just beginning steps. Much more remains to be done before we fully capitalize on the tremendous potential that is involved in energy conservation.

There is no argument with the proposition that energy conservation is the least expensive, most rapid, and most environmentally acceptable way to increase the Nation's available supply of energy. Savings in the range of 25 to 35 percent over current levels are clearly feasible.

And these savings need not involve the sacrifice of jobs or a decline of economic output. To the contrary, a properly designed energy conservation program should provide significant stimulus in both areas.

The Energy Subcommittee will be examining the energy conservation potential in detail in the next session of Congress. It is our hope to develop a number of specific recommendations that can then be considered by the appropriate legislative committees and by the full Senate.

But these efforts can only have meaning if the present bill becomes law. That will provide the foundation on which we can build a comprehensive national energy policy that truly serves the needs and interests of the American people.

The PRESIDING OFFICER. Under the previous order, the vote will now occur on agreeing to the motion to concur in the amendment of the House to the amendment of the Senate to the amendments of the House to the bill, S. 622.

Mr. BUMPERS. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll.

(At this point Mr. WEICKER assumed the chair.)

Mr. ROBERT C. BYRD. I announce that the Senator from Indiana (Mr. BAYH) is necessarily absent.

I also announce that the Senator from Alabama (Mr. ARMEN) is absent because of illness.

The result was announced—yeas 58, nays 40, as follows:

[Rollcall] Vote No. 604 Leg.]

YEAS—58

Abourezk	Hathaway	Pastore
Biden	Huddleston	Pell
Brooke	Humphrey	Fercy
Bumpers	Inouye	Proxmire
Burdick	Jackson	Randolph
Byrd, Robert C.	Javits	Ribicoff
Cannon	Kennedy	Roth
Case	Leahy	Schweiker
Chiles	Magnuson	Scott, Hugh
Church	Mansfield	Sparkman
Clark	McClellan	Stafford
Cranston	McGovern	Stennis
Culver	McIntyre	Stevenson
Durkin	Metcalfe	Stone
Eagleton	Mondale	Symington
Ford	Morgan	Talmadge
Glenn	Moss	Tunney
Hart, Philip A.	Muskie	Williams
Hartke	Nelson	
Haskell	Neun	

NAYS—40

Baker	Pong	Mathias
Bayh	Garn	McClure
Beall	Goldwater	McDermott
Billmon	Gravel	Montoya
Bentsen	Griffin	Packwood
Bricker	Hansen	Pearson
Buckley	Hart, Gary	Scott
Byrd	Hatfield	William L. Stevens
Harry F., Jr.	Helms	Taft
Curtis	Hollings	Thurmond
Dole	Hruska	Tower
Domenici	Johnston	Welcker
Eastland	Laxalt	Young
Fannin	Long	

NOT VOTING—2

Allen Bayh

So the motion was agreed to.

Mr. JACKSON. Mr. President, I move to reconsider the vote by which the motion was agreed to.

Mr. PASTORE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. ROBERT C. BYRD. Mr. President, may we have order in the Senate?

DEPARTMENT OF DEFENSE APPROPRIATIONS, FISCAL YEAR 1976—CONFERENCE REPORT

The Senate continued with the consideration of the conference report on the bill (H.R. 9861) making appropriations for the Department of Defense for the fiscal year ending June 30, 1976, and the period beginning July 1, 1976, and ending September 30, 1976, and for other purposes.

Mr. GRIFFIN. Mr. President, I send a modification of my amendment to the desk and ask for its immediate consideration.

Mr. ROBERT C. BYRD. Mr. President, we cannot hear the Senator.

The PRESIDING OFFICER. The Senator from West Virginia is correct. The Senate will be in order. No further business will be transacted until the Senate is in order.

The Senator from Michigan.

Mr. GRIFFIN. Mr. President, I ask that the amendment that is pending, as modified, be stated.

Mr. McCLELLAN. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

The amendment will be stated.

The legislative clerk read as follows:

In lieu of the language proposed to be inserted, insert the following: "\$205,600,000, none of which, nor any other funds appropriated in this Act may be obligated or expended to finance the involvement of United States military or civilian forces in hostilities in or over or from off the shores of Angola, unless specifically authorized by the Congress, which funds are—"

Mr. GRIFFIN. Mr. President, in drafting this amendment—

Mr. PASTORE. Mr. President, may we have order?

The PRESIDING OFFICER. The Senator from Michigan will suspend.

The Chair wishes to advise the Senate that the Chair will not waste his breath or violate the ears of Senators until the Senate is in order.

The Senator from Michigan.

Mr. GRIFFIN. Mr. President, in drafting this amendment I have drawn heavily upon the actual language which was adopted in the so-called Cooper-Church amendment of 1973 which prohibited the use of U.S. military forces in hostilities in, over, or from off the shores of Indochina.

I offer this amendment because I share the deep concern which I know most of my colleagues have about the possibility that we might slide into another Vietnam by any involvement whatsoever in Angola. I share the concern of those who wonder about the possibility that some covert assistance by the CIA might lead to the use of advisers, and that might ultimately lead to the introduction of military forces. I share the view that we ought to slam the door and keep it closed from the outset on any possibility that any American military forces

or civilian forces could be used for military purposes in Angola.

But I think Senators should realize that the reach of the Tunney amendment goes much further than that. The question my amendment, which is really a substitute, poses is: Do we want to close the door, tie the hands, and cut off any and all flexibility of the executive branch in this situation.

In other words, should there be no way that we can provide any assistance to the majority of people in Angola who are resisting Soviet imperialism at the present time?

I am not ready, frankly, to endorse the use of funds for covert purposes in Angola, but neither am I ready to say that the executive branch should not have some flexibility.

Mr. President, before we vote on this issue there are some facts that need to be recited that were not mentioned earlier.

The Soviet Union has spent vast sums of money in support of the MPLA, sums far larger than we have talked about here.

In a clear act of international aggression, Cuba has sent thousands of well trained and equipped soldiers—Jack Anderson reports there are now 6,000 Cubans fighting in Angola—and it is clear from press accounts that these soldiers, armed with Soviet tanks and rockets, are largely responsible for the military successes of the MPLA. Other estimates differ between 4,000 and 6,000.

Mr. PASTORE. Will the Senator yield for a question?

Mr. GRIFFIN. Will the Senator allow me to make a few points, and then I will be glad to yield.

Mr. PASTORE. Of course.

Mr. GRIFFIN. The majority of the people of Angola do not support the MPLA, which at best is credited with the support of 25 percent of the population. Fighting against them—and presently losing because of the massive Soviet and Cuban intervention—are a clear majority of the people under the leadership of the UNITA-FNLA coalition.

While both UNITA and the FNLA have called for an end to the fighting and for free elections to determine the will of the people—as envisioned by the "Alvor Agreement"—the Soviet-sponsored MPLA has refused to agree to elections and is trying to seize control of the entire country by military force.

The stakes in Angola are high. Writing in a recent issue of The New Republic—not exactly the organ of conservative thinking—Tad Szulc observed:

There are numerous reasons for this Soviet interest. Quite aside from its wealth—oil, diamonds, sugar and coffee—Angola is strategically located on Africa's west coast. Control would give Moscow a military presence on the South Atlantic. The Soviets have a foothold in Cuba in the Caribbean and a foothold in Somalia right below the entrance to the Persian Gulf. Bases, in Angola, if they were to be obtained, would be crucial in supporting the Soviet fleet both in the South Atlantic and the Indian Ocean, thus facilitating operations along the oil tanker routes around Cape Horn. . . . If the MPLA reconquers Lobito and south-central Angola, the Soviets may have a

major say in the operations of the Benguela Railway, possibly placing Zaire and Zambia at their mercy in terms of copper exports. Finally a Soviet-controlled state in Angola would add to the pressures on the white regimes in Rhodesia and South Africa.

Angola has implications for the policy of détente with the Soviet Union as well. After the fall of South Vietnam last April, the Soviets again began to voice strong support for "wars of national liberation" and to assert the Communist victory in Vietnam was a success for the Soviet Union's Leninist foreign policy. As the Washington Post editorialized on November 26:

Moscow perhaps sees a post-Vietnam international setting in which its own power is waxing and American power, or American resolve, is on the wane. Angola may be a test case to establish how much Soviet intervention the international traffic will bear.

I could go on and on, but I only go through this to emphasize and underscore that we have a very critical, very serious and far-reaching international issue before us. I am not convinced that it is in the national interest to deny the executive branch, with one broad stroke of the pen, the flexibility necessary to carry out U.S. foreign policy in a dynamic and changing situation, which is what the Tunney amendment seeks to do. By contrast, using the Cooper-Church language, my amendment would make it clear that none of these funds—and if I could do so under the rules of the Senate, without having it ruled out of order as legislation on an appropriation bill, I would say funds not only under this bill, but under any act—could be used to support any U.S. personnel for military action in Angola.

I think we all agree on that. I would urge the Senate not to adopt the Tunney amendment, but to take the language that I have offered as a substitute, which it seems to me would make very strong policy, but would be the kind of statement with which we could all live. It would not put any stamp of approval upon CIA covert action with regard to Angola, but it would leave the Executive branch with the kind of flexibility in the implementation of foreign policy that it needs to have.

Several Senators addressed the Chair.

Mr. GRIFFIN. I yield to the Senator from Rhode Island.

Mr. TUNNEY. Mr. President, who has the floor?

Mr. PASTORE. Mr. President, I do not believe there is any dispute at all—

The ACTING PRESIDENT pro tempore (Mr. STONE). The Senator from Michigan has not yielded the floor, has he?

Mr. PASTORE. No, he yielded to me for a question.

The ACTING PRESIDENT pro tempore. The Senator from California is advised that the Senator from Michigan still has the floor.

Mr. PASTORE. I quite agree with the Senator from Michigan that we all understand the criticality that exists in Angola, and we all realize, too, that we do not want to get into another Vietnam. We are trying to avoid that.

But my question is this: The Senator

speaks of a flexibility that he would like to give the administration. What does he envision that can be dealt with with flexibility? What would he do? I mean that is the question that is before this body. How far would we go?

Mr. GRIFFIN. As I understand, based on press reports—and I will use that preface rather than try to relate what might have been conveyed in any secret sessions—this would be in terms of financial assistance which would go to, perhaps, a neighboring state, that would, perhaps, be channeled to these forces to help them resist. To help them. It could be in terms of military equipment, or—

Mr. PASTORE. I do not want to get into any classifications, but would the Senator use the CIA as a channel? I mean they are the ones that have gotten us in trouble in many parts of the world.

Mr. GRIFFIN. I do not disagree with the Senator from Rhode Island that the CIA has in the past made mistakes and gotten us into some trouble, but I think the question here is whether we can do away with the CIA, and do away with the possibility of any covert action.

Mr. PASTORE. No, I want them for counterintelligence. There is no question about that. But where does the Congress of the United States come in, as we get into these things step by step by step? I would like to have something a little more explicit, if we could.

Mr. GRIFFIN. I do not think we should go as far as the Senator from California (Mr. TUNNEY) would have us go, at least on the record at this point. I would go as far as my amendment proposes, which I think the Senator would agree would be a long, solid step. But I wonder if we have the knowledge, I wonder if we have the information, that we should have before we tie the hands of the Executive to the extent that the Senator from California is asking us to do.

Several Senators addressed the Chair.

Mr. GRIFFIN. I yield to the Senator from Louisiana.

Mr. JOHNSTON. I presume that under the Senator's amendment, the United States would continue to give aid until something happens. Generally that means until we win. I wonder, in the case of Angola, if the Senator's amendment passes, what event do we look to as the point at which we can say we have achieved our goal, that we have achieved our objective, and we can stop, now, giving aid?

Mr. GRIFFIN. I cannot answer the Senator's question, and I would not presume to. As I have indicated, I am not necessarily advocating that we do anything in this particular instance. I am only saying I do not think we should close the door and make it impossible for the executive to have some flexibility at this point.

Mr. JOHNSTON. We are talking about the spending of some \$50 million American dollars and getting on some kind of, perhaps, long-range commitment. Do we have any goals in Angola?

Mr. GRIFFIN. This is a 1-year appropriation bill, so if the Senator is talking about getting another crack at it, obviously the appropriation bills come

along every year. We are not making a decision of any kind, it seems to me, of the nature that the Senator from Louisiana is concerned about.

Mr. JOHNSTON. I would hope that someone would try to define as clearly as they can for my edification, and I am seeking information, what our goals are in Angola, because I think that was one of the problems in Vietnam. I do not think this will lead to another Vietnam, but that is one of the problems if we get into one of these things without having a goal. We do not know when we have achieved our objective, and there is no end to it. Pretty soon it gets to be just a question of credibility.

Several Senators addressed the Chair.

Mr. GRIFFIN. Mr. President, I am willing to yield the floor to others.

The ACTING PRESIDENT pro tempore. Senators will suspend momentarily until we can get order.

The Senator from Michigan still has the floor.

Mr. CLARK and Mr. BIDEN addressed the Chair.

Mr. GRIFFIN. I think the Senator from Delaware was on his feet first.

Mr. BIDEN. Mr. President, I would like to ask the Senator from Michigan a question, if I may.

He has read a portion of an article from the New Republic, stating that a Russian dominance in Angola would give them a strategic foothold in the South Atlantic. The article went on to cite the wealth of the country with regard to oil, diamonds, and the railroad that goes through Angola, and the pressure that would be brought on Rhodesia and South Africa.

I would like to ask the Senator whether or not he believes that there would be a strategic advantage gained by the Soviets, and what that advantage would be, with regard to the United States? How would that affect our interests? Secondly, what difference does it make to us? What difference should it make to us? What pressure is placed on Rhodesia and South Africa? I assume the author is talking about exacerbation of the black-white conflict that exists there. What is the United States interest in either of those situations, assuming they are true?

Mr. GRIFFIN. I was quoting from the article in the New Republic. I do not depend on everything that is said in it, and I am not here advocating that this should be our policy. I am only saying I am not ready to say it should not be. That is my point.

Mr. BIDEN. Does the Senator believe we have any strategic interests in Angola?

Mr. GRIFFIN. I think that the location of it, the geopolitics of it, indicates that we ought to be very much interested and concerned about the establishment of a Soviet satellite in Africa; yes.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. GRIFFIN. I am glad to yield to the distinguished Senator from Arizona.

Mr. GOLDWATER. For the probable edification of my friend from Delaware before we took the very liberal attitude of encouraging our friends around the

world to quickly dispose of their colonies, the United States could depend on, I believe, 16 or 18 ports around the world. If Angola is lost to the Soviets, we have only eight now. This in itself is a matter of great strategic importance to the United States, because as long as we depend on oil from the Middle East, and that will be for some time, the oil that is delivered to the United States by way of the Atlantic would pass Angola at the smallest part of the South Atlantic, and possible enemy controlling the two ports, one good port and one not so good, in Angola, could, if they wanted to, use Angola as a base to prevent or slow down shipments of oil to the United States.

I see this as a definite strategic advantage to any country that could wind up friendly with whatever government we may find in Angola.

That is the reason I think it is to the United States' interest to pursue this.

We are having a difficult time, for example, in this Senate and in this Congress getting a group to agree that Diego Garcia is an important place in the most strategic place in the world, in my mind, the Indian Ocean, for much the same reason that I am reciting our loss of friendly ports around the periphery of Africa.

So I am trying to add whatever I can to this discussion as what I see that particular part of South Africa as being of value and vital to our strategic interests.

On the other hand, I might be completely wrong. We might find the Soviets on our side some time. So far, we have not had that pleasure. Until we do, I think it is of the utmost importance to the United States to maintain friendly relations with countries, even though we may disagree with them on the use of ports, and so forth.

Several Senators addressed the Chair.

Mr. BIDEN. As I am sure the Senator knows, we have made little or no use of those two ports, as long as they have existed and have been available to the United States.

Mr. GOLDWATER. That is correct.

Mr. BIDEN. I am sure the Senator knows that.

Mr. GOLDWATER. Yes. We have not made particular big use of other ports, but we had them accessible. If the Soviets have control of whatever government ends up in Angola I say, with some assurance, we will not have access to those ports. One of them is not too good. The other one is so-so.

Several Senators addressed the Chair.

Mr. CLARK. Mr. President, will the Senator from Delaware yield?

Mr. BIDEN. Yes.

Mr. CLARK. I wish to ask the Senator from Michigan about his amendment.

As I understand it, the amendment would do absolutely nothing to affect our present activity or our planned activity in Angola. It would rather address itself to a very important question and indeed important enough, I think, that if it were added to the Tunney amendment, rather than substituted for it, it ought to be adopted because it does say that no American personnel, military or civilian,

should be used in Angola. I think that is a good addition to the Tunney amendment.

Unfortunately, it is offered as a substitute. The question before the Senate, of course, is whether we ought to continue covert activities of the kind that we have already entered into and planned to continue. It does absolutely nothing, as I understand it, with any of the military assistance programs, any CIA activity, any credit arms sales, any commercial sales, paramilitary activities, or payments of cash. None of those, as I understand it, will be affected by this amendment.

Am I correct in that?

Mr. GRIFFIN. The Senator is correct.

Let me respond that the amendment would serve a very important purpose, however, by making sure that such involvement, as we might have in an indirect way through covert activities, would not escalate into the introduction or the use of any American military or civilian personnel in the hostilities.

Mr. CLARK. I compliment the Senator on his amendment. If it were to be withdrawn and added to the Tunney amendment, instead of a substitute for it, I would support it.

Mr. GRIFFIN. And to the extent that Senators have a concern or a fear about that kind of a slide into a Vietnam situation, it seems to me that my amendment would answer that concern.

Mr. CLARK. One further question. As I understand it, then, if we were to continue the present activity, we could put millions of dollars of military assistance in as long as it was done under the present kind of legislative or legal arrangement whereby covert activities could be continued as long as no civilian or military forces of the United States were involved.

Mr. GRIFFIN. The Senator knows as well as I that there are limits in this appropriations bill. When he talks about millions and millions he is talking about years down the road.

Mr. CLARK. Yes.

Mr. GRIFFIN. He is not talking about this appropriations bill.

Mr. CLARK. But it would apply, as I understand it, only to personnel, military and civilian, and in no way affects the present activities that are occurring?

Mr. GRIFFIN. It is almost the exact wording of the Cooper-Church amendment.

Mr. CLARK. I thank the Senator.

Several Senators addressed the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Connecticut.

Mr. WEICKER. Mr. President, I rise to make the following points:

First, in regard to comparing the Griffin amendment with the Tunney amendment I should make clear, and I have already expressed myself to the distinguished Senator from California, if I had my way his amendment would be even tighter than it is. In other words, there is a third option here. I consider the amendment of the distinguished Senator from California and the distinguished Senator from Massachusetts to be in the middle ground. I would not ex-

empt intelligence gathering, such as is done by the Tunney amendment. After all, that is supposed to be the only duty of the Central Intelligence Agency, but they have used that as a pretense for engaging in all sorts of other activity. In my opinion, the very fact that the Tunney amendment exempts intelligence gathering leaves a door wide open that they could drive a truck through.

If I had my druthers, I would like to see it eliminated.

The fact is that allegations have been made that in the past, under the name of intelligence gathering, Mr. Mubutu was on the CIA payroll. Would President Mubutu still qualify to be on the CIA payroll?

These are questions that have been raised. These have been the abuses in the past.

Clearly they could still continue under the language of the Tunney amendment where it states, "this act may be used for any activities involving Angola other than intelligence gathering, which funds are."

I told the Senator from California that it was my intention to eliminate "other than intelligence gathering," so it would read "nor any other funds appropriated in this act may be used for any activities involving Angola, which funds are."

Point No. 2, there is another loophole in the Tunney amendment. What happens to those funds that are channeled through Zaire into Angola? And believe me, that has been the case. What about replenishing the funds of Zaire? That never appears in this amendment. Yet, on the basis of past history, it will be necessary to do that.

The only reason I make these points is I wish our colleagues to clearly understand that some of us feel that in some ways the amendment of the distinguished Senator from California and the distinguished Senator from Massachusetts is not tight enough. Because I think it is necessary for us to go on record in a practical way, I accept this type of compromise, but that is exactly what I consider it to be, a compromise between my position and the position of the Senator from Michigan which is even more open-ended.

Several Senators addressed the Chair.

Mr. TUNNEY. Mr. President, will the Senator yield?

Mr. WEICKER. I will yield for a question, but I have a couple other points that I wish to make.

Let me yield first to the distinguished Senator from California for a question and then to the distinguished Senator from North Dakota.

Mr. TUNNEY. Mr. President, the Senator indicated there were two rather substantial loopholes in the amendment in that it would be possible, through the intelligence-gathering language of the amendment, to allow more military and paramilitary aid to be given to Angola, or in the alternative, that it would be possible to channel this aid through a third country, such as Zambia or Zaire.

I point out with regard to the second loophole suggested, the diversion to a third country, that the language of the

amendment reads "nor may any other funds appropriated in this act be used for any activities involving Angola other than intelligence gathering, which funds are," and so forth.

Additionally, the way the amendment was drafted by Senator CLARK, Senator CRANSTON, Senator BROOKE, Senator KENNEDY, and myself, we had the language "in Angola" rather than "involving Angola" and we changed "in" to "involving" to close that precise loophole that the Senator suggests still exists.

I do not think it does exist, because I think the word "involving" proscribes any diversion of aid from Zambia or Zaire or any other third country to Angola.

Second, with regard to the first objection—

Mr. WEICKER. I say to the distinguished Senator from California this is the second part of his question.

Mr. TUNNEY. Yes. I shall ask the Senator at the end of my point whether or not he agrees with me.

The ACTING PRESIDENT pro tempore. Will the Senate be in order?

Mr. TUNNEY. The second point is that there is a great difference between covert actions and intelligence gathering.

There is no doubt that some of us feel that the United States should have the ability to gather intelligence in any foreign country where it is going to be advantageous to the United States' foreign policy interests. Clearly, the gathering of information as to what is going on in Angola would be advantageous to our general foreign policy interests. However, some of us feel that covert actions would be seriously detrimental to our foreign policy interests. That is the reason why we use the words "intelligence gathering."

I know that other Senators who have sponsored this amendment are going to speak to this point, but it is certainly my intention, by using this language, not to allow for the shipment of any military equipment or paramilitary equipment to Angola. The purpose is to allow simply the use of funds for the gathering of intelligence.

I ask the Senator from Connecticut, after having heard that explanation, whether he agrees.

Mr. WEICKER. I am satisfied in regard to the first point the Senator from California made in responding to my second point—specifically, the way the amendment is drafted now, it would prevent the use of that money being channeled through third parties.

On the other hand, I am not satisfied as to the language of that amendment locking the loophole since it refers to intelligence gathering, for the simple reason that that is the mandate that presently rests upon the CIA, and it is used for every activity under the Sun. I do not think they are going to pay any more attention to this law, if it becomes such, than they do to the present law.

I think the Senator from California will agree with me that the way this language is written—let me give a specific example and ask a question, without my yielding the floor—it would be possible

still to go ahead and have Mr. Holden Roberto on the CIA payroll even with this language, would it not?

Mr. TUNNEY. It would be possible to put people on the payroll for the purposes of gathering information but not for the purposes of allowing an individual to fight in a guerrilla war.

Mr. WEICKER. Mr. President, I yield for a question to the distinguished Senator from North Dakota.

Mr. YOUNG. Is it not true that the CIA now has less than \$10 million of unobligated funds that could be spent in Angola? If the Tunney amendment were defeated, they would have no more funds approved until Congress approved reprogramming for additional funds, and that requires the approval of the chairman and the ranking member of the Appropriations Committee, the Armed Services Committee of the Senate, and the same in the House—the Appropriations and Armed Services Committees. They would get no more money until then. So, at best, it would be until January, until we meet again and hold meetings or hearings, before they would get any more money. Under our procedure, if one of those eight members of the House and Senate committees disapproved, they would get no more money at all.

The advantage of this would be that the administration would have a chance to present its side of this issue to the members of the House and the Senate committees.

I do not think we should act abruptly this way.

Mr. WEICKER. I have to respond to the distinguished Senator by saying that, unfortunately, we do not know what money the CIA does have. That is one of the bones of contention on the floor of the Senate today—not just as represented in this piece of legislation, but God knows where else it is squirreled. I do not know the answer. I do not think anybody else does, either. I do know that we have to draw the line with respect to policy. That is what is being attempted on the floor of the Senate today.

The other point that has been made is that the United States is involved with two of these factions, one in conjunction with the Chinese, another in conjunction with the South Africans.

Let me point out that the United States is involved with all three factions. As I understand it, the Gulf Oil Co. pays into the banks of Luganda some \$100 million a quarter, in the way of oil royalties or what have you; and that this money is being used by the Russian-backed factions. So, in effect, American dollars, of either governmental entities or this private corporation, are backing all three factions. I think that is a good time to get out. If we are going to be among all three, we can get out and leave everybody at the same time.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. WEICKER. I would like to finish.

The figure that has been used regarding additional funding for the CIA has been anywhere between \$28 million and \$35 million. The escalation has been far

December 17, 1975

greater than that. As I recall, the initial requests in this area were around \$6 million. It was also my understanding that at one point, until obvious hostility appeared, the initial request was for \$100 million, and that this was pared back to the \$35 million which has been referred to on the floor of the Senate today.

Then, again, when it comes to exactly how much money is being spent, it is also my understanding that the CIA has acknowledged some \$17 million as the cost of ordnance supplied into that country. Yet, the cost figures are rather amazing. For example, a .45-caliber pistol is listed at \$5. That is a rather interesting price. So that, actually, the \$17 million that already has been spent on ordnance probably is far lower than the actual figure.

Mr. President, in conclusion, I would only say that I concur completely with the amendment as proposed by the distinguished Senator from California, in that this body is finally waking up to its obligations, and to the fact that wisdom, patriotism, and loyalty do not reside just in the older heads in Washington, D.C., whatever the branch of Government. Rather, those things are in abundance on the floor of the Senate, in the House, and in the executive branch, and better decisions are made when all participate rather than a few.

If there is one thing we should have learned from Vietnam it is that our concepts of politics on any of these continents have to be tuned to facts and historical reality, rather than to a frame of reference born of the cold war after World War II.

I think this fact has become clear, for example, in relations between China and Vietnam. China is no longer enthusiastic about Vietnam and they are reverting to their traditional and historical roles of antagonism toward each other.

Believe me, no white superpower is going to establish itself on the continent of Africa. It is not going to happen. The Soviet Union is a society far more racist than ours. I do not think they stand a prayer of establishing themselves on the African continent. No white nation will do that.

Therefore, I discount that argument, as I discount the rationale in Vietnam, where our reason for entering the war was that China was going to benefit enormously, regardless of what history had taught us up to that point. Now we are asked to act regardless of what history has taught us about Africa.

I support the Tunney amendment. I think it is clear that the involvement of this country in Angola is even greater than that which has come to public attention or to the attention of the U.S. Senate. As a matter of policy, I think it is time that we drew the policy and drew it here, tonight.

Mr. JAVITS. Mr. President, will the Senator yield for a question?

Mr. TUNNEY. Mr. President—

Mr. WEICKER. I yield to the distinguished Senator from New York for a question.

The ACTING PRESIDENT pro tempore. The Senator from Connecticut has

the floor. The Senator from California is seeking recognition, but the Senator from Connecticut has the floor.

Mr. JAVITS. Mr. President, the Senator has pointed out various loopholes in the Griffin amendment. But is it not a fact that the major loophole is the very avoidance of the very issue we are debating? We are debating now whether to give military assistance to Angola. That is the issue, because that is what money is supposed to be in this bill somewhere.

The Tunney amendment says:

Nor any other funds appropriated in this act may be used for any activities involving Angola, other than intelligence gathering.

That would include military assistance, not personnel.

By the way, I point out that the Griffin amendment is covered fully by the War Powers Act. That is why we passed it. If we are going to put people in hostilities or imminent danger of hostilities, we have a tight arrangement to cover that.

I ask the Senator: Is it not a fact that if we adopt the Griffin amendment, we simply allow an administration to proceed as it is proceeding in the very thing that we feel we have joined in—to wit, giving military materiel assistance in or about or directly or indirectly to the Angolan struggle?

Mr. WEICKER. If we adopt the Griffin amendment, that is correct. The Senator is correct.

Mr. JAVITS. Mr. President, I should advise my colleague that I hope—even if it is adopted, and I hope it is not—to add the necessary language to close that door, because that is exactly what we are arguing about.

Mr. WEICKER. I yield the floor, Mr. President.

Mr. TUNNEY. Mr. President, I wish to make a few points as to what the Tunney-Brooke amendment does and what I think the Griffin amendment does not do. Then I shall yield the floor very quickly, because there are others who have spent a great deal of time on the subject of military assistance to Angola who are very knowledgeable—men such as Senator CLARK, Senator CRANSTON, Senator BROOKE, and others.

I wish to point out, No. 1, that it is the intention of the authors of this amendment that intelligence-gathering does not mean military aid of any kind. It does not mean the financing of military forces in Angola. It does not mean ferrying or transporting forces or equipment to Angola or to any other country so that they may be shipped to Angola.

It is very clear, at least to the drafters of this amendment, that what we mean is that the moneys under this defense appropriations bill can only be used to collect intelligence.

I know that we may have entered the world of double talk or "newspeak," as George Orwell referred to it, when the precise meaning of words does not mean to a party who does not want to agree to it what the drafters of the language intended. But we intend—and this is, hopefully, legislative history—that this money can only be used for the collection of intelligence, but certainly not for

any military or paramilitary activities whatsoever.

The problem with the Griffin amendment, as the Senator has offered it, is that it is, in effect, a substitute for the language which proscribes the use of funds for military or paramilitary activities. The Griffin amendment says that we cannot send troops to Angola, but it would certainly allow us to continue to spend money to support one, two, or more factions that are fighting in Angola. That, of course, is the problem that some of us feel is going to destroy our foreign policy interests in Africa and other parts of the world.

To give an example of how tricky the problem is, I just heard from my distinguished colleague from Hawaii (Mr. INOUYE) that he was approached by the administration to permit fund transfers through Zaire, in his position as chairman of the Appropriations Subcommittee on Government Operations. He refused, and his committee is going to continue to try to plug up this hole.

That is how tricky it is. Here we are, trying to participate in foreign policy decisions through the use of the purse strings, and we have a perfect right to do that under the Constitution, and the executive attempts to nullify our actions by slipping in secret appropriation measures that nobody knows anything about. Certainly, from the language that is contained in the bills that come before us, there is no way of finding out whether the money is intended to support military or paramilitary activities in places such as Angola.

As to the merits of cutting off funds to Angola, I think it is quite clear that we have spent many tens of millions of dollars in the past year in Angola supporting UNITA and FLNA. It is also clear that UNITA is being supported by South Africa. It is clear that the FLNA has been supported in the past by Communist China.

It is also clear that the MPLA, which is being supported by the Soviet Union, and which is the third faction, has been supported by 14 black African countries, who are ardent in their opposition to South Africa.

Dr. Neto, who is the head of the MPLA faction, is a protégé of the Socialist, Mario Soares, in Portugal. Mario Soares is the Socialist leader who is considered moderate, who is supported in Portugal by the United States.

Mr. McGOVERN. Will the Senator yield on that?

Mr. TUNNEY. Yes.

Mr. McGOVERN. Is it not a fact that when the Chinese discovered that the South Africans were coming in to back the same two factions that we had supported along with the Chinese, they thought that was time for them to get out, that they did not want to be identified on a black continent with a government that is thought to be a racist white government? Therefore, they made a political judgment, without regard to the financial cost, that they did not want to have anything more to do with backing these two groups that, previous to that time, we had supported with them.

Mr. TUNNEY. That is correct. That is my understanding.

Mr. McGOVERN. The Senator, I know, has studied these three factions that are struggling for control in Angola. I can say that I listened to the briefings of the CIA people and the Department of State and others for hours about these groups and what they were attempting to do. Does the Senator understand where the American interest is involved in any way with the triumph of one of these three groups? In other words, what difference does it really make to the security of the United States whether the MPLA or the FNLA or the so-called UNITA group wins? Why do we really care in terms of anything that affects the interests and well-being of the people of the United States—or, for that matter, the interest and well-being of the people of Africa?

Mr. TUNNEY. I do not see how it makes a great deal of difference other than the fact that, apparently, our Secretary of State has a particular fear of Soviet involvement anywhere. He feels that the Soviet Union has decided to challenge the United States in Angola, and therefore, he is apparently prepared to escalate our assistance to other factions, despite the fact of their being backed by the South African Government, and despite the fact that many observers feel that there is no way that the two factions that we are backing can possibly win.

It does not make any sense to me. I was talking the other day—yesterday, as a matter of fact—to three representatives of the CIA. They are knowledgeable about Africa. This is their specialty. I was asking them whether it made much difference which group, which faction, won. The answer was that they saw that it made very little difference, that there was practically no ideological difference among the three groups and that it was clear that all three groups were primarily pro-Angolan. They were only nominally pro-Soviet or pro-Marxist, or pro-American; they were basically pro-Angolan, Socialists, and highly nationalistic. It seemed clear to them that, whether the Soviet faction won or one of the other factions won, they were going to be independent. They were going to run their government in an independent fashion.

I have not been, as Senator CLARK has, to Angola. I have not met with the three leaders and Senator CLARK is going to have an opportunity to tell us in a few minutes what his experiences were there. But it is clear to me that there is no real foreign policy interest which justifies the United States pouring tens of millions of dollars, and perhaps eventually, hundreds of millions of dollars, down a rat-hole, causing more death and destruction in that country, siding with South Africa in a way that is going to alienate all the other black African nations.

It is clear, also, that a country like Nigeria, which is so important to the United States—it is our second largest foreign source of supply of oil, our most important source of sweet crude—low-sulfur crude—is going to be outraged and alienated if the United States, over a

period of months and years, is supporting a faction that is being supported by the South Africans, inasmuch as the Nigerians have been some of the principal leaders in black Africa against the white government in South Africa.

Mr. McGOVERN. Is the Senator not saying in effect that that is why the Chinese were smart enough to pull out? They did not wait until some legislative body in Peking ordered them to get out, they saw the handwriting on the wall. When they saw the South African Government move in behind us in support of these two other factions they thought it was time to get out in terms of their own posture in Africa.

I would like to ask the Senator one other question. Has not the Soviet record of intervention in Africa generally been a self-defeating one? In other words, in one country after another where they have played this kind of a heavy-handed role they have turned out to be unwelcome. They have had, perhaps, not as painful an experience as we have had in Vietnam, but they have discovered that a white imperialist government is not popular in Africa; is that not the case?

Mr. TUNNEY. I think that is the case.

Mr. McGOVERN. It seems to me the logic of the argument we have heard here that because the Soviets have backed the MPLA faction that we have to back one of the other two, that would lead us to the conclusion that if the Soviets decide tomorrow to change their backing to one of the others, then we have got to suddenly change our ally and maybe back the ones the Soviets have been backing today.

The whole thing seems to be so preposterous that I cannot understand why this Government would even consider pouring tens of millions of dollars into one of these particular factions.

We read in the press this morning that some \$60 million is being invested in activities by our Government to support the so-called FNLA and the UNITA group.

I do not think it makes 60 cents worth of difference to the interests of the United States which one of these three groups ultimately prevails. I hope the Senator's amendment will be adopted.

Mr. McCLELLAN. Mr. President, will the Senator yield for a question?

Mr. TUNNEY. I will be glad to yield to the chairman of the committee, and I will then yield to the Senator from Ohio.

Mr. McCLELLAN. I want to assure the Senator I ask this question for a sincere purpose of getting information. If we have no legitimate interests there, if it means nothing to us that Russia takes—

Mr. McCLELLAN. Mr. President, will the Senator use the microphone. We cannot hear him.

Mr. McCLELLAN. All right.

What I am trying to ask is if we have no interest there, if it means nothing to us who controls it or who does not, why does it mean so much to Russia? Can the Senator give me that answer?

Mr. McGOVERN. Is the Senator asking me that?

Mr. McCLELLAN. I would like to know.

They seem greatly concerned and are spending a lot of money. There is something there for somebody or something or they at least—they are either stupid or they think there is.

Mr. TUNNEY. I think we have to be concerned about Soviet intervention in Angola and other parts of the world. I think it is clear that the Soviet Union is expansionist and clearly the Soviet Union wants to royal the pot wherever they can. Of course, they are going to try to do it. Certainly I am not suggesting that the United States become pacifist.

I believe in a strong, adequate defense posture, but I say one of the ways or the most important way to handle the Soviet involvement in Angola is to go to the heart of the problem—the Soviet leadership. We are just about to enter into or we have entered into a grain agreement with the Soviet Union where we are going to be sending them food that they need desperately, apparently not only to feed their own people but to live up to commitments for grain exports they have made to satellite countries, and there does not seem to me to be any reason why we cannot use this as one bargaining chip to encourage them to make détente a living, vital force rather than a sham.

The Soviet Union, as the Senator so well knows has stretched the SALT agreements to the limit. Perhaps we should suspend the SALT talks for a time as a signal to them if they are going to continue their intervention in Angola.

Additionally, there is no reason for us to transfer technology to the Soviet Union without some compromises on their part. But what we do not have to do, in my view, is to spend tens of millions of dollars and come down on the side of South Africa, perhaps endangering the moderate regimes all over the rest of Africa.

I think there are many reasons why we can be deeply concerned about the Soviet intrusion in Angola, and we can do things to meet that intrusion other than spending our treasure and causing great problems to the supporting of military and paramilitary activities in that country.

Mr. HUMPHREY. Mr. President, will the Senator yield to me?

Mr. McCLELLAN. I had not quite finished.

Mr. HUMPHREY. Go ahead then, please.

Mr. McCLELLAN. I understand the Senator feels, do I understand the Senator feels, the way for us to combat Russian expansion is to simply cease to have business relations with them by not selling them grain and not having other business transactions? Is that the answer the Senator uses?

Mr. TUNNEY. Not at all. It depends on the place. If the Soviet Union were to intrude upon Western Europe I would be prepared to use military force as our NATO allies and treaty agreements provide. I would not be prepared to use tens of millions of dollars in Angola when it will only result in a further deterioration of our relations with the great majority of African states.

I do not think it is a good thing for the

taxpayers of this country to have to have once again an open-ended secret commitment made in an underdeveloped part of the world which is going to produce more inflation, more disruption and dissent, and higher taxes, and the Senator knows it as well as I. It is also going to result in a greater loss of national security as a result of the damage it is going to do to our relations with pro-American black African states.

Mr. McCLELLAN. I may say to the Senator I do not think I could be accused of squandering money of foreign governments. I voted against all the foreign aid ever since 1954.

Mr. TUNNEY. Here is another chance. [Laughter.] I urge the Senator to accept my amendment.

Mr. McCLELLAN. I know this is another chance, but I will be asked before the end of this session of Congress, and I am asked now, to vote for billions of dollars to combat Russia in other places of the world.

Now, she is expansionist, the Senator admits that. I am not saying necessarily this money should be spent, but I am trying to get this thing in its proper perspective. If this is so valuable to Russia that she is willing to spend millions of dollars, as she is, to gain control, evidently she thinks it is of some value to her in a strategic plan of world expansion.

It may be that it is of no value to her. Maybe she is stupid and it may be she is mistaken. But, obviously, she feels it is of some great strategic value to her, and I assume of military strategic value for her to aid the forces she is aiding down there.

If she succeeds, I am not so sure that all of this expectation that has been expressed here that it will do them no good, they will not be able to control anything down there, I am not sure that can very well be depended on.

I am not overenthusiastic about any of this, but I do think we are going to put ourselves in a position here where it is going to look to Russia like it is going to look to our friends as if after we have gotten this thing all out in the open all around the world, every time Russia wants to expand and we are in that area then we start retreating. If this is going to look like a retreat I think it ought to be thought about again.

Mr. HUMPHREY. Mr. President, will the Senator yield to me?

Mr. McCLELLAN. I want to thank the Senator for yielding.

Mr. TUNNEY. Yes, I want to thank my distinguished friend for his questions.

I promised to yield to the Senator from Ohio and then I will yield to the Senator from Minnesota.

Mr. TAFT. I thank the Senator for yielding.

I want to ask the Senator a question. Let me lead up to it with a preliminary remark or two. First, I feel very frustrated, as I am sure many of the Members of the Senate must feel frustrated, about how this issue has come up, about the information or lack of information with regard to it.

I have long had the view that we pretty much ought to stay out of Africa

and African affairs, and I probably will vote with the Senator on his amendment when we get to it, and vote against the Senator from Michigan's amendment. But before doing that I think I ought to say I feel we are legislating a vacuum. To some extent we have had a limited presentation of what we have done. I do not think we have had any presentation of why we have done it to date. I do not think we have had any statement of what the objectives are. I do not think we have had any indication of what we plan to do from either the Executive or, for that matter, from the committees of Congress.

This I find to be a very frustrating exercise.

There has been some discussion of the strategy involved and the strategic necessity of this area.

I am very concerned with this. I am currently in hearings on antisubmarine warfare looking at the entire South Atlantic problem. But so far as a review by the committees of the Congress, what really is the strategic impact of this, we have had none.

Here we deal with the CIA which is supposed to be in the jurisdiction of the Armed Services Committee. There was an inquiry yesterday as to what information they had with regard to the entire matter. They said they had absolutely no information with regard to it.

We have not had a hearing here on the whole issue.

Finally, we had the subcommittee meet and discuss it yesterday at great length, I know. But it always seemed to me when we passed a war powers resolution, one of the concomitant principles which I thought was involved, that I backed at that time, was that we were annually going to have a review in the appropriate committees of the various areas of activity in the world where we should have some concern.

We have not had that. We have not had a single hearing of the Armed Services Committee on this issue.

I just have to say, under those circumstances it seems to me the burden of proof is certainly upon those who advocate that we should be taking some particular action.

They may be absolutely right. The Senator from Michigan in his resolution may be absolutely right.

We have had discussions, at times, I know, in the Foreign Relations and Armed Services Committees to do this kind of thing at the beginning of a session. I had hoped we would start next year. I do not see much prospect, but I think we ought to start.

The other thing is that I think we have to take another look at what we have discussed before here on the floor, and that is the whole area of how we do report on covert activities, of how we finance them in the CIA.

I do not think there is any way today where we can trigger the kind of discussion and debate we want to have before we are called upon to make this kind of decision out of the present mechanism we have as far as the control of the CIA.

Does the Senator think both points are so what we should be looking at in the entire Senate?

Mr. TUNNEY. I cannot agree more. I think it was an excellent statement of what the basic questions are in this body. I feel as much in the dark as the Senator from Ohio. I want to thank him for his very good statement.

Mr. TAFT. I thank the Senator for yielding.

Mr. HUMPHREY. Will the Senator yield to me?

Mr. TUNNEY. I promised to yield to the Senator from Minnesota.

Mr. HUMPHREY. Mr. President, let me just, first of all, say that the African Affairs Subcommittee chaired by Senator Clark held hearings on the relationship of the United States to African countries, and that, in part, involved Angola.

The chairman of that subcommittee has taken his responsibilities very seriously and, with appropriate staff, made an extended tour in Africa, including Angola.

We have had 280 pages of testimony in the Committee on Foreign Relations in Africa, and primarily Angola.

So it is not as if we are totally unaware of what is going on there. To the contrary.

The point is that the administration never came forth on its own. The policy on Angola was being formed and fashioned in secret. It became what they call a covert operation which blossomed into a full-page headline in the leading newspapers of the United States, which in turn compelled Members of this body to say, "What is going on here?"

In the beginning of this year, in January 1975, we were involved in Angola to the sum of \$10,000. We are now up to considering \$60 million.

The issue here is not whether we ought to be helping Angola. The issue is who makes policy about help in Angola.

First of all, let us keep in mind that Angola is represented today by warring factions of three separate tribes.

By the way, I doubt that anybody in this body knows much about those separate tribes, their customs, their background, their hangups, their prejudices, and all that kind of thing.

We have decided to be on the side of two of the groups because of our involvement with Zaire and Zambia. We were helping because of their interests, primarily.

The Soviets got involved here, not in massive amounts in the beginning. They got in just like we did, a little at a time. As we stepped up the ante, they stepped it up. But the difference is they do not have any public opinion, they do not have a parliament that is really an open parliament, and their government can go willy-nilly, push vast sums of money into Angola or elsewhere.

But I am here to say, Mr. President, that every instance in Africa where the Soviet Union has expended billions of dollars, as it has in North Africa, hundreds of millions as it did in Egypt, in every country the spirit of nationalism triumphed over the intrusions of communism, and that ought to be remembered in this debate.

So we are talking about whether we are going to put a stop order on the activities of the executive branch of the Govern-

ment through the CIA to establish policy by preempting the field before we get a chance in this Congress to know what is going on.

Now, we let this happen in Vietnam, I know. I was in this body when we had all too little information. Then I became Vice President and was surrounded by information.

Thank God we have now the opportunity to debate this in the open where at least we can have some conflict of opinion and some difference of opinion to air what could be one of the fundamental issues facing this Congress.

Angola today is a former Portuguese colony, really not governed, it is in a civil war and will be in one for a long time, the United States and the Soviet Union notwithstanding. For us to become openly involved when knowing so little is the blind leading the blind, the fools following the fools. It is just ridiculous.

Mr. President, let me say what the Defense Department can do here.

The Defense Department has a huge budget and it is possible within that budget to reprogram funds to the amount of \$750 million with their programs.

That amount can be used for activities that this Congress would have no control over at all unless we insist that there be a justification for what is asked and what is done.

I call to our attention that we are not just talking about \$28 million or \$30 million. We are talking about a potential of three-quarters of a billion dollars of reprogramed funds. That is why this amendment of the Senator from California should not even deal with the money part of it, in terms of figures. It should really start out that none of which of the funds—none of which—none of which, nor any other funds appropriated in this act, may be used, et cetera, et cetera.

Mr. President, the Congress needs to review this entire matter of our relationship not only in Angola but in all of Africa.

How much money do we think we were making available for the whole continent before the Russians got involved in Angola? One hundred and fifty million dollars. For economic aid, for technical assistance, for medical help, anyone can name it, \$150 million.

Now they have got 200 or more Russian advisers. They sent in some Russian rockets and, by the way, many of those forces do not know how to use them. They scare each other to death, according to the testimony we have had. They have got 3,000 or 4,000 Cubans there that really want to go home and, according to the testimony we have had, they are in serious moral problems.

Then all at once, in 1 month, we are going to put \$60 million in to chase the Communists away when there is a whole treasure house in Africa, people crying out for their independence, people that are nationalistic more than anything else, and for years we ignored them, for years.

I was chairman of the Subcommittee on African Affairs until last year. I tried to do a little something about with our Government to see if we could not get

some basic interests in economic development, on reading, writing, arithmetic, on health and food.

Thank God DICK CLARK came here and took over that subcommittee.

I am privileged to chair the Committee on Foreign Assistance.

We have learned more the last year about what this Government is and is not doing in Africa than in the last 5 years. Why? Because when I asked for the money for this Subcommittee on Foreign Assistance, I said that we would exercise legislative oversight, and we have. The oversight tells us that the proposal that is being made by the administration is out of sight, unnecessary, and I think will lead us into incredible amounts of trouble.

Ten thousand dollars, my colleagues, a few months ago; \$60 million now.

Who wants the Soviets in there? God only knows I do not. I believe the President of the United States ought to get that man Moynihan up at the U.N. who knows how to make better speeches than mine, every bit as loud and every bit as flamboyant, to go before the Security Council and lay it on the line and say "Out! Out!"

We ought to be using our good offices with members of the Organization of African Unity, telling them that we are prepared to go out tomorrow morning, to get all American assistance out, and ask them to try to settle this dispute.

As has been mentioned here, as my esteemed colleague from Illinois (Mr. STREVENSON) has noted, we do have other things we can use.

The Soviet Union says they want détente. They say they want trade; they want cultural exchange; they want high technology.

I would like to work with them. I am not a cold warrior in the sense of looking for a battle every day with the Soviet Union. The peace of the world depends on how we work things out. But we need to tell the Soviet Union that it is not a one-way street. We need to simply say to them, "Look, we are prepared to take step No. 1 of honor and decency to leave the people of Angola work out their destiny." Lord only knows, they will be fighting there for months. If any Senator here thinks he can make peace over there in a day or 2, he is a miracle man. He is the man we need. That would be the greatest Christmas present since the first Christmas.

Mr. President, the United States of America better start taking care of things it knows how to take care of. We know so little about Africa, the 800 and some tribes that make up Africa. Where are the experts here in the Senate on the 800 and some cultural organizations or tribes in Africa? I have traveled in those countries. I say it is like a different world. They are magnificent people. They want to be left alone.

The Soviets are in there, and they are going to mess it up? I will tell the Senate something; if I could figure it out myself, I would like to trap them in there. It is like quicksand. They would not know what hit them. They would have these rockets, guns, and halftracks and they will be fighting there for God only

knows how long. But when it is all done, there will be a Nationalist Angola Government which most likely we will not like, most likely unreliable from our point of view because we like our old friends we can have coffee and tea with, an occasional martini or a bottle of beer. They do not always like it that way.

I suggest we take the amendment. I suggest further that we keep in mind what the Senate Foreign Relations Committee is asking us to do. We have laid out a procedure that if the President feels that Angola is a matter of high foreign policy, if he feels it is a matter of national security, then I want the President or his agents, the Secretary of State or the Secretary of Defense, to come before the appropriate committee of Congress, lay out what the request is, and, Mr. President, if there is a reason we ought to be there, I think the majority of the 100 U.S. Senators will concur.

Mr. ROBERT C. BYRD. Will the President yield?

Mr. HUMPHREY. Yes.

Mr. ROBERT C. BYRD. Does the Senator agree that it is about time we used a little bit of market basket diplomacy? The Soviet Union is having its problems with its wheat harvest. Why should we not let the Soviets know that if they are not going to live up to their signature on the Helsinki agreements, not only détente is going to be jeopardized but some of the future grain purchases are going to be jeopardized. Why not use that as a lever?

Mr. HUMPHREY. The Senator from Illinois has proposed such a resolution. I have been privileged to join with him. I ask Senators to take a look at it. We need to do basic legislation in this area, but in the meantime we have an immediate proposition before us. We have a conference report on the defense budget. I want to say again, Mr. President, that in that defense budget there is the possibility of the transfer of funds of three quarters of a billion dollars. That is just in the hands of people who can play games with the money. I submit that that amount of money ought to be under the control of my distinguished friend, the chairman of the Budget Committee. He ought to have something to say about it. And the chairman of the Appropriations Committee, the chairman of the Armed Services Committee and the members—not just the chairman. The chairmen have a responsibility, but members also have a responsibility.

I think the time is at hand to blow the whistle on this kind of transferability of such fantastic sums of money.

We are rewriting the Military Sales Act. We are rewriting the Military Assistance Act. I have been working at it for days. We are going to put a stop to this business of peddling arms all over the world. We are going to put a stop to this business of the executive branch deciding willy-nilly what it wants to do and after the fact we are dragged in and told "Here it is."

I want to say it is time to do it because great changes are underway in this country. This is but the beginning.

I commend the Senators from California and their cosponsors. It is not all we ought to have. It does not go to what

I think is an equal balance, but we have no choice. We cannot basically amend a conference report. All we can do, because of the technical situation, is to do what the Senator from California is asking.

I ask my colleagues to listen well. I am not known as a softy on these matters. I do not exclude the possibility of covert operations. I know that a president has to have authority. I do not want to cripple him. But what is needed in this country right now is a closer coordination and cooperation between the executive branch and the Congress. We must not permit, once again, the United States of America to go unknowingly, blindly, into a part of the world where we are so ill-informed. God only knows we are a world power with a half world knowledge, and that is how we got into Indochina. We are going to be involved in the same rotten mess in Africa unless we blow the whistle, and I am going to blow the whistle with my vote, loud and clear.

Mr. MANSFIELD addressed the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Montana.

Mr. MANSFIELD. Mr. President, first I commend the Senator from Minnesota for making a speech which has gone right to the heart of the matter and which I think lays down a firm foundation as to what the foreign policy of this country should be in relation to the Angolan situation, which, as he pointed out, has developed with such suddenness from \$10,000 donated on the part of this country, or allocated, in January to a figure approaching \$35 million at the present time, and to which will be added something on the order of \$28 million very shortly.

I do want the Senator to know how much I appreciate his comments. I, for one in this Chamber, have been fully aware for a good many years of the Senator's attitude toward the situation in Vietnam when he was Vice President of the United States.

I want to say that it was just about as close to mine as it could be, despite the reports which emanated from the White House and despite the difficulties which the then Vice President had to undergo.

I am sure that everybody is still fully aware of my feeling on Vietnam because it left scars on me and on us which will never, never go away but which must never, never be repeated again.

UNANIMOUS-CONSENT REQUEST SETTING A TIME CERTAIN FOR THE VOTE ON THE GRIFFIN AMENDMENT AS MODIFIED

Mr. MANSFIELD. Mr. President, I would like to propound a unanimous-consent request, and I specially ask that the distinguished Senator from Idaho (Mr. McClure), with whom I have had some discussions, will listen. I do so after discussing the matter with the distinguished acting Republican leader, the Senator from Michigan (Mr. Griffin), the chairman of the Appropriations Committee (Mr. McClellan), who has been so patient and so gracious in his handling of this bill, and the distinguished Senators from California (Mr. Cranston and Mr. Tunney).

I ask unanimous consent, Mr. President, that the vote on the pending amendment occur at the hour of 6:30.

Several Senators addressed the Chair. Mr. McClure. Mr. President, I object. Mr. MANSFIELD. Is the Senator inflexible?

Mr. McClure. Well, Mr. President, if I may explain the reason, I will reserve the right to object and then restate the objection.

We were in executive session, in closed session, this morning for 3 hours. About 15 minutes of the 3 hours were devoted to discussion of Angola, and about 2 hours and 45 minutes were spent discussing other matters.

We have now been on the pending matter since a little after 4:30, and I have been seeking recognition intermittently during that period of time, and have been on my feet now for the last 43 minutes awaiting recognition.

This has not been a debate, it has been a monologue. If there are members of the various committees that have evidence that could have been submitted in the closed session this morning, it was not. There was evidence on one side of the issue, but not on the others.

I would hope that the majority leader would understand the reason why I feel constrained to object to the unanimous-consent agreement before we have even had an opportunity to initiate the debate from another point of view.

So, Mr. President, I do object.

The ACTING PRESIDENT pro tempore. Objection is heard.

Mr. MANSFIELD. Mr. President, will the Senator still withhold it, briefly? I can understand the Senator's feelings, because we discussed this matter in some detail before I made the request, and I had a pretty good idea what the reaction would be.

But I would point out that the Senate, for the past several weeks, has been meeting on an average of 10 to 12 hours a day, and that the chairman of this committee has been under tremendous pressure and has borne up under it quite nobly. He indicated earlier today, indirectly, in his statement, that he did not intend to go beyond the hour of 6:15 or 6:30, and I can well understand how he feels.

I do think that we ought to face up to the realities of the situation, and in my opinion no matter what any Senator says, no minds will be changed, and the longer we delay the more difficult it is going to be. Tempers will become frayed, the results will be delayed, and the objective which we all seek will not be attainable within a reasonable period of time.

Frankly, I do not intend to keep the Senate in late tonight, because I, too, am as tired as any other Member—not as tired as the distinguished Senator from Arkansas, who has borne this burden so well.

If no agreement is reached in some form or another, it will be my intention to move that the Senate stand in recess until the hour of 9 o'clock tomorrow morning. That hour has already been agreed to. I shall make that motion no later than 7 o'clock this evening if I am able to get the floor.

Mr. ROBERT C. BYRD. Mr. President, will the Senator yield?

Mr. MANSFIELD. Yes, indeed.

ORDER FOR RECOGNITION OF SENATORS TAFT, PERCY, ROBERT C. BYRD, DOMENICI, AND LONG TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that after the two leaders are recognized under the standing order tomorrow, the following Senators be recognized, each for not to exceed 15 minutes and in the order stated: Messrs. Taft, Percy, Robert C. Byrd, Domenici, and Long.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. LONG. Mr. President, will the majority leader yield to me at this point?

Mr. MANSFIELD. Yes, indeed.

Mr. LONG. It occurs to me that there are some matters that ought to be taken care of, such as the amendment to the medicare law which the administration favored, and with regard to which I know of no opposition whatever, the extension of the renegotiation bill, the social security bill, and a number of other measures that I believe could be passed by unanimous consent if we could find time to consider them. I wonder if we might be able to consider some of those things sometime this evening or tomorrow.

Mr. MANSFIELD. Not this evening, may I say to my beloved friend, because we are going against time, as far as time is concerned. But hopefully tomorrow.

DEPARTMENT OF DEFENSE APPROPRIATIONS, FISCAL YEAR 1976— CONFERENCE REPORT

The Senate continued with the consideration of the conference report on the bill (H.R. 9861) making appropriations for the Department of Defense for the fiscal year ending June 30, 1976, and the period beginning July 1, 1976, and ending September 30, 1976, and for other purposes.

Mr. CLARK. Mr. President, will the distinguished majority leader yield for the purpose of a motion?

Mr. MANSFIELD. Yes, indeed.

Mr. CLARK. I move to table the Griffin amendment, and ask for the yeas and nays.

Mr. GRIFFIN. Will the Senator withhold that? I am perfectly willing to vote, but there are Senators who wish to speak.

Mr. CLARK. Senators wish to speak on the issue of Angola, and this motion in no way affects the question of Angola.

Mr. MANSFIELD. Mr. President, I wish the Senator would not make that motion at this time. I can understand, but it places me in a very embarrassing position, and I wish there would be some other way at this time, at this moment, so that while I have the floor I will not be in a position of taking advantage of any other Senator, although the Sena-

tor from Iowa is perfectly within his rights.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. PASTORE. Could we not possibly reach an agreement on a time limitation on the various amendments that are pending, so that we would not be forced into motions to lay on the table?

Mr. McCURE. Mr. President, will the Senator yield to me for a moment, without losing his right to the floor?

Mr. MANSFIELD. Yes.

Mr. McCURE. As I said a while ago, I have been on my feet since 28 past 5 seeking recognition, and I have not had the opportunity to ask one question. I would hope the Senator would withhold that motion.

Mr. CLARK. Does the Senator intend to speak on Angola or the pending amendment?

Mr. McCURE. I think the two are inextricably intertwined. I do not think the Senator from Michigan's amendment is unrelated to that issue.

Mr. CLARK. Can the Senator make some estimate of how long he wishes to speak?

Mr. McCURE. Mr. President, I can respond in this fashion: I had hoped, in the closed session this morning, that we might have made available to Members of the Senate some information given to some Members of the Senate under conditions in which it was not presented to the rest of us. That opportunity was not afforded to us this morning. The Senator from Wyoming suggested that the matter be debated in open session and a determination made whether or not the Senator from Arkansas should be relieved of any inhibition and granted the authority to present the information to the Senate in closed session.

It would be my hope that tomorrow morning we could debate that motion and vote upon it, and then go into closed session for whatever that might produce in the way of information, and then go back into open session and resolve the issue.

Mr. MANSFIELD. Mr. President, I do not see any reason for going into any further closed sessions. It is largely a waste of time, interesting though the proceedings may be. We usually do not end up knowing much more than at the time we went in.

But I must dispute the Senator's contention that no hard information came out of the closed meeting this morning, because I think it was made quite clear, on the basis of statements made by both the chairman of the Subcommittee on Foreign Aid Appropriations of the Foreign Relations Committee (Mr. HUMPHREY), and indirectly, at least, by the chairman of the Appropriations Committee, the Senator from Arkansas (Mr. McCLELLAN), that there was such a thing as—what is the word? Refundable? Returnable?

Mr. HUMPHREY. Reprogramming.

Mr. MANSFIELD. Reprogramming, that is the word. Reprogramming, which indicates that funds can be used for that purpose. Evidence was forthcoming that funds had been used for that purpose,

and I think that those of us who had doubts this morning had those doubts resolved insofar as this particular piece of legislation was concerned.

Mr. GRIFFIN. Mr. President, will the majority leader yield?

Mr. MANSFIELD. Yes, indeed.

Mr. GRIFFIN. I share the interest and desire of the majority leader and the Senator from Iowa to get to a vote on my amendment. I wonder if there is a possibility, could we agree to vote on my amendment, not the Tunney amendment, at 10:30 tomorrow morning? That would give us time, if we could get back to the debate, 45 minutes now and an hour tomorrow.

Mr. McCURE. Mr. President, will the majority leader yield?

Mr. MANSFIELD. Yes, indeed.

Mr. McCURE. I thank the majority leader for yielding.

I can only reiterate what I said before. I have not been privy to the discussions that may have involved other members of perhaps the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations. Whatever that information may be was not discussed in any great detail.

I agree with the Senator from Montana.

Mr. MANSFIELD. Not in any great detail.

Mr. McCURE. The Senator from Montana is exactly correct.

Growing out of a very brief discussion on Angola this morning, we did discover that some funds had been made available and expended, and we have some idea of the amounts of money there might be if this appropriation goes forward, but we have not really gotten into the issues of discussing whether or not we ought to do it.

Mr. MANSFIELD. Mr. President, if the Senator will yield there, the Senator is correct in what he said. It is a matter of interpretation.

But the distinguished acting Republican leader and Senator from Michigan (Mr. GRIFFIN) did make a suggestion which would allow all Members to talk as much as they wished tonight, and that we vote on the Griffin amendment and on the Tunney amendment. I request at the hour of 10:30 a.m. tomorrow morning.

Mr. JAVITS addressed the Chair.

Mr. MANSFIELD. We come in at 9 a.m.

Mr. JAVITS. Mr. President, reserving the right to object, what has been overlooked is that I announced that I had an amendment which I would make to the Griffin amendment if it carried or to the Tunney amendment if the Griffin amendment did not carry, and I wish to facilitate it, but I need to make that reservation. I suggest a half hour on that amendment, whichever way it goes, whether it is added to Griffin or whether it is added to Tunney.

Mr. MANSFIELD. That would be perfectly allowable as far as the Senator from Montana is concerned if it meets the approval of the Senator from Idaho.

Mr. McCURE. Mr. President, will the Senator yield?

Mr. MANSFIELD. Yes.

Mr. McCURE. I think the leadership knows that I tried to cooperate in every way possible to expedite not only the flow of this legislation but other legislation. I lean over backwards in an attempt to do so.

Mr. MANSFIELD. That is correct.

Mr. McCURE. But I most honestly must insist upon whatever right I have as a Member to move to go into closed session.

Mr. MANSFIELD. The Senator has that privilege. All he needs is a second to that, and that would be forthcoming.

Frankly, I am getting a little bit tired, speaking personally, of closed sessions, because I do not think much good comes out of them, but I certainly would not—I could not—oppose such a proposal. The Senator is perfectly within his right, if he wants to make such a motion. But would it be possible in the meantime to reach an agreement to vote on the two pending amendments and the Javits amendments, say, beginning at the hour of 11 a.m. tomorrow morning?

Mr. McCURE. It would be possible for us to resolve the procedural question that was raised earlier today by the Senator from Arkansas first thing tomorrow and then move into whatever closed session there would be, and then have a time limit for the consideration of these amendments following the closed session.

Mr. MANSFIELD. If that is the best we could get, of course, the leadership has no choice, but I remind our colleague from Idaho that National Airlines and United Airlines are on strike, and that comprises about 23 percent of the transportation business of this Nation. Neither one of them goes to Montana so neither one of them causes me any difficulty. But many Members have their tickets and if they lose out I do not know when they are going to get their tickets renewed.

I think of our colleagues in this body. My mind is made up. I know how I am going to vote, and I think the Senator knows that.

I wish to give some consideration to the distinguished Senator from Arkansas as well. I hope that out of this could come some reasonable arrangement so that this matter could be brought to a head.

I say that, if we cannot come to an agreement on this conference report by Friday at the latest, what we will have to do is to leave it in limbo and go on with the continuing resolution which I think is operative—that is a nice word—until February 15.

Mr. McCURE. I say to the Senator I did not raise this issue; the Senator from California did. I hope it can be resolved, but I would think, as one Member of the Senate, that even the Senator from California would agree that it is a matter of some import, and we ought to have the opportunity to understand it before we are called upon to vote on it.

Mr. MANSFIELD. I thought I was offering some opportunity when I suggested the hour of 11 a.m. We are coming in at 9 a.m. We have been in now about 10 hours.

Mr. McCURE. I think we have four

special orders tomorrow morning; is that correct?

Mr. MANSFIELD. That is right.

Mr. ROBERT C. BYRD. We have six.

Mr. MANSFIELD. We have six. We can come in at 8 a.m. How about a vote at 12 noon and come in at 8 a.m.?

Mr. McCURE. Would it be possible to include in the unanimous-consent agreement that we have the debate and vote on the matter that was presented by the Senator's motion in closed session this morning, relating to the question that the Senator from Arkansas had raised, and then prior to going into closed session that, if indeed there is no very great amount of information to be revealed in closed session, that should not take long.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. MANSFIELD. I say my motion is not pending. It was withdrawn before the closed meeting ended because of the revelations emanating therefrom which took care of it.

Several Senators addressed the Chair.

Mr. MANSFIELD. I yield to the distinguished chairman of the committee.

Mr. McCLELLAN. Mr. President, I wish to make this observation. Practically all of the information that pertains to the CIA and its operations has been revealed to the Committee on Foreign Relations or a subcommittee thereof. They have discussed it all day. Still I am not going to make any statement about it without being released from the obligations I feel I have, but I do not know whether the Senator wishes to pursue that any further. I am satisfied with the situation as it is. I do not know whether the Senator wishes to pursue it, but I am not going to make any statement about it other than repeat maybe what has been said in the Chamber by others.

All I wished to do was to be certain as to whether the Senate changed its position. It has a position on this and it is of record, and as a servant of this body, I was undertaking to follow what I conceive to be the Senate's will as last expressed.

Mr. HANSEN. Mr. President, will the Senator yield on that point?

Mr. MANSFIELD. The Senator is acting perfectly within his rights.

In response to the distinguished Senator from Idaho, I repeat again that the motion I offered is moot, and I do not intend to offer it again at this time.

I yield to the Senator from Wyoming.

Mr. HANSEN. Mr. President, I only wish to say that I have the very strong conviction that if the Senator from Arkansas is to be called upon, as I suspect some Members may seek to try to do, knowing him as I do, but certainly not trying to speak for him, it is my feeling that we ought to have passed in open session, as was suggested by the Senator from Wyoming earlier in the day, a motion relieving him from any inhibition or curtailment that he feels may have been imposed upon him either by law or by custom or tradition.

Mr. MANSFIELD. Mr. President, will the Senator yield there?

Mr. HANSEN. I am happy to.

Mr. MANSFIELD. May I say I strongly believe that—

Mr. HANSEN. I should add relating to Angola alone. That was spelled out in the motion.

Mr. MANSFIELD. It is my very strong opinion, and I would bet my life on it, that there is no Senator on this side of the aisle nor any Senator on that side of the aisle who is going to do to the Senator from Arkansas what the distinguished Senator from Wyoming has suggested because I think the point was made there. His position is clear. He has, in effect, reiterated it once again. I see nothing to be gained but a great deal to be lost by resuming that kind of pressure tactic.

Mr. CLARK. Mr. President, I have pending a motion to table the Griffin amendment. I do wish to press that if there is a time agreement, but I do not wish to—

The ACTING PRESIDENT pro tempore. Does the Senator yield for that?

Mr. MANSFIELD. I did not yield for that purpose. I did yield to the distinguished Senator, but I did have the floor.

The ACTING PRESIDENT pro tempore. The Senator did not yield for that purpose.

Mr. MANSFIELD. I again raise the possibility. Is it possible at some time tomorrow to vote at a time certain on the Javits, Tunney, and Griffin amendments?

Mr. President, I suggest the absence of a quorum, without losing my right to the floor.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, it is my understanding that we have five special orders tomorrow. Whether or not they will all be taken and, if so, the full time will be used, remains to be seen.

The Senate will convene at 9 a.m. tomorrow. At the conclusion of the special orders, the Senate will again go into closed session—I hope for not too long a period of time.

At the conclusion of that closed session, the Senate will then return to open session.

I ask unanimous consent that at that time there be a 40-minute time limitation on the Griffin amendment, the time to be equally divided between the Senator from Michigan, the sponsor of the amendment, and the Senator from California (Mr. Tunney) or whomever he may designate; that following that there be a 40-minute time limitation on the Javits amendment, if it is called up, the time to be equally divided between the Senator from New York (Mr. Javits) and

the Senator from Arkansas (Mr. McCLELLAN).

It is anticipated that with a little flexibility, give and take, once those two amendments are out of the way, if they are both offered, it will then be possible to arrive at a reasonable agreement covering the Tunney amendment which, in the meantime, will be modified, I understand, with the \$33 million deleted.

The ACTING PRESIDENT pro tempore. Does the request include a request for a closed session?

Mr. MANSFIELD. Yes. On behalf of the distinguished Senator from Idaho (Mr. McCURE) I will include that in the request.

Mr. JAVITS. Mr. President, will the Senator yield for a clarification?

Mr. MANSFIELD. I yield.

Mr. JAVITS. If the money is eliminated, it will be unnecessary to consider my amendment. My amendment would eliminate the money.

Mr. TUNNEY. Mr. President, it is my understanding that the parliamentary situation is such that that money will have to be deleted by an amendment such as the Senator from New York is going to offer.

Mr. JAVITS. That is correct. I am just informing the majority leader.

Mr. MANSFIELD. That will save 40 minutes.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I hope that all Members who are interested will stay tonight and make as many of their speeches as they can.

I say to the distinguished Senator from Arkansas, "Go home, get a good night's rest, and come back tomorrow."

THE TAX BILL

Mr. MANSFIELD. One more thing; I talked to the President this afternoon after the conference report on the tax bill was agreed to, and I asked him if he intended to veto the tax bill. He said, "Yes." I requested that he veto it this afternoon, so that we could consider it as expeditiously as possible, providing, of course, that the House overrode the veto. He said that he did not think he could make it, because he had to wait for the papers, but that if he did not make it this afternoon, he was going to veto it before 10 o'clock tomorrow morning and have the veto up on the Hill.

Mr. PERCY. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. PERCY. The President has vetoed the bill.

Mr. MANSFIELD. In talking to the Speaker, he indicated to me about a half-hour ago—I did not know that the veto was on the Hill—that he would take it up tomorrow morning, around 10 o'clock, as I recall.

The Senate should be on notice that if the House overrides the President's veto, the Senate, despite these agreements

reached, will undertake to do the same at an appropriate time in the course of the proceedings.

ORDER OF BUSINESS

Mr. CURTIS. Mr. President, will the Senator yield for a question?

Mr. MANSFIELD. I yield.

Mr. CURTIS. What will be the remaining business tonight?

Mr. MANSFIELD. Talk.

Mr. CURTIS. On what—which bill?

Mr. MANSFIELD. The defense appropriation conference report or anything else.

Mr. CURTIS. Will any tax bill be called up tonight?

Mr. MANSFIELD. If the Senator will allow me, I would like to yield to the Senator from North Dakota, the dean of the Republicans, and I hope that the chairman of the committee can be contacted in the meantime, because he was discussing something about that.

Mr. YOUNG. Mr. President, I would like to be recognized for a 3-minute speech.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota is recognized.

The Senate will be in order. Senators who wish to converse will kindly withdraw. Senators will clear the aisles and withdraw to the cloakrooms if they wish to converse. Senators are very close to the cloakroom physically, anyway, and if Senators who are conversing will withdraw the rest of the way to the cloakroom, that will put the Senate in order. Staff members will kindly take their seats.

Will the Senators really close to the cloakroom kindly move 3 feet farther into the cloakroom?

Will the Senators standing in the rear kindly withdraw to the cloakroom or resume their seats?

Mr. YOUNG. Mr. President, the amendment proposed by the distinguished Senator from California (Mr. Tunney) and others, would prohibit the use of any money appropriated under this defense appropriations bill to finance CIA operations in Angola.

Our activities in Angola have been very minimal compared with those of Russia. Unlike the Russians, we have no military personnel there. The funds made available to the CIA have only been to provide for weapons and other associated assistance, short of any personnel, to help prevent a takeover of Angola by a minority faction of that country under the control of the Soviets.

This amendment would end all U.S. assistance to Angola except for some minor intelligence-gathering operations. While the United States would be abruptly withdrawing our assistance from Angola under this amendment, Russia would continue their extensive military operations and undoubtedly would take over still another country in Africa within a matter of a very short while.

The proponents of this amendment, particularly the distinguished Senator from California (Mr. Tunney) propose that we withhold sales of grain and other farm commodities to Russia,

thereby trying to force them to cease their operations in Angola.

Mr. President, I think the United States would make a serious mistake if we used our food as a weapon of foreign policy. We have had too much of that already. May I remind the Senate that most of the wars fought throughout history have been over food shortages or living space. Sooner or later, using food as a weapon of determining foreign policy would bring us to grief.

A past embargo of soybeans has brought deep resentment from some of our best allies. The more recent embargo on grain to Russia and East European countries has prevented us from replacing dollars we now have to spend to import oil and other purchases. The embargo has had, and is still having, a disastrous affect on our farmers. They were urged to go all out to produce the biggest crop ever to meet our own and foreign needs.

Mr. President, if the Tunney amendment is passed, we would undoubtedly have to immediately withdraw all assistance to Angola. It would be far better to follow the regular reprogramming procedures for further financial assistance to Angola. Under these procedures it is very unlikely that any further assistance will be provided unless there is very strong support for it. Under reprogramming procedures the chairmen and ranking minority members of the Senate Appropriations and Armed Services Committees and their House counterparts would have to give unanimous approval. This means that if even one of these eight committee members dissented, no reprogramming would be possible.

Mr. President, I was disturbed by a statement by a Senator made earlier that \$750 million could be made available for Angola. That is an unreasonable statement. So far, they have only obligated \$24 million. They are asking for \$28 million more under a reprogramming procedure.

Under the established reprogramming procedures, approval of four Members of the Senate and four Members of the House is required. Any one Member can veto a reprogramming request. It is unbelievable that these eight Members of the House and Senate would approve \$750 million or even \$100 million for Angola. So such charges as that, I think, are unreasonable and paint an untrue picture of CIA operations.

It would be far better if the Foreign Relations Committee and other committees which have jurisdiction would have further consultations with the executive branch, and especially the President, the State Department and the CIA, as to the advisability of abruptly ending assistance now.

ADDITIONAL STATEMENTS SUBMITTED ON DEPARTMENT OF DEFENSE APPROPRIATIONS, FISCAL YEAR 1976—CONFERENCE REPORT

Mr. MUSKIE. Mr. President, the conference report accompanying the Department of Defense appropriation bill for fiscal year 1976 deserves the support of the Senate, and I am glad to compliment the effort made by our conference colleagues on H.R. 9861. At a time of a mounting Federal deficit and debt, the

conferees have kept the spending level of this largest appropriations bill below the levels previously passed by the Senate and within the national defense totals assumed for this legislation in the second budget resolution.

The fiscal year 1976 DOD appropriations bill, as agreed to in conference, amounts to \$90.5 billion in budget authority and \$64.3 billion in outlays, both being under target in budget authority and in outlays. As chairman of the Committee on the Budget, I welcome these results.

I particularly wish to congratulate the distinguished chairman of the Committee on Appropriations, Mr. McCLELLAN, for his leadership on this measure. At a time of pressing and often conflicting national interests, he has worked to balance fiscal responsibility and national security.

For the past several months, the Senate Budget Committee has carefully considered the national defense function of the Federal budget. Our work has been diligent and serious. Our intentions have been to carry out the mandate of the Congressional Budget Act.

I believe our work has been effective. Perhaps nowhere is this better demonstrated than in the final outcome of the defense appropriation bill for fiscal 1976. The President and his advisers vigorously sought an appropriation too much for defense needs. The Budget Committees in both Houses sought a level which would eliminate unnecessary spending yet maintain essential military programs. In the best tradition of democratic deliberation and debate, the two Appropriations Committees agreed.

In short, Mr. President, I salute Senator McCLELLAN and the other Senate conferees for their attention to detail and their prudence. I shall vote for this conference report.

Mr. MORGAN. Mr. President, the debate now raging may well determine the future course of the foreign policy of this country for years to come. Shall we turn inward as we did in the thirties? The answer is not clear.

I was interested in an editorial appearing in the Charlotte Observer in North Carolina on December 14, 1975. It is especially noteworthy since the editorial policy of this paper has been strongly against American involvement in the affairs of other countries. I ask unanimous consent that it be printed in the Record for the consideration of my colleagues as they search for a decision on this vital issue.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

A RED COLONY?—ANGOLA CANNOT BE IGNORED

The Cuban-Soviet invasion of Angola marks a new turn in Communist efforts to replace European powers in colonizing Africa. It also shows just how weak detente is. Can Washington do nothing about this?

The most powerful forces that the United States could reasonably bring to bear are diplomatic and economic. Yet there is no clear evidence that we are applying strong pressure to the Soviet Union, where our leverage should be substantial. Washington may be reluctant to do that because of its

hopes for progress in the U.S.-Soviet arms limitation talks. If the Soviets feel free to move as flagrantly as they have in Angola, however, they obviously regard detente as a trifle that should not get in the way of their military expansion.

What they evidently want is a Soviet naval base in Angola, on the eastern coast of southern Africa. They also want an Angolan regime they can use to cause trouble for white-controlled South Africa and Rhodesia, as well as black-controlled African governments they dislike. Toward these ends, they have suddenly made a bold move whose seriousness is only now being recognized.

The Portuguese left Angola, their last African colony, on Nov. 11. Fighting among various Angolan independence organizations began immediately. The Soviets and Cubans are helping the Popular Movement for the Liberation of Angola (MPLA), which now has control of the capital, Luanda.

American involvement appears to be limited to indirect and minimal assistance to the combined forces of two other Angolan groups, South Africa, China and Zaïre (the former Belgian Congo) also support those groups.

It is clear that the principal intruders have been the Cubans and the Russians. The Cuban force, which has been described by Havana and Moscow as volunteers, instead seems to be a regular army of some 5,000 men. It has been supported by Soviet flights of giant Antonov transport planes, comparable to the American C-5A.

It is, in short, a major invasion force. It has struck so rapidly and with such strength that it threatens to succeed in taking over the country.

Secretary of State Henry Kissinger has warned that the United States cannot "remain indifferent to the foreign intervention in Angola's civil war." Indeed, we cannot. American troops are not the answer. But the situation in Angola should be given top priority in Washington.

We should move to assist the moderate forces fighting in Angola; bring the strongest kind of diplomatic pressure to bear upon Moscow; and make Cuba pay a high price economically for its intervention. We have it within our legitimate power to do all of that.

If the Soviets gain a naval base and a friendly regime in Angola, they will have added appreciably to the advance they have made on the other side of Africa with a naval and missile base in Somalia. This would give them strategic strength along the sea lanes around Africa. The United States cannot watch that take place and believe that detente has any meaning.

Mr. NELSON. It is outrageous that this administration should secretly thrust this Nation into the midst of a civil war in Angola. What kind of arrogance possesses that tiny handful of men in the executive branch who presume the right to involve us in war without consent of the Congress or the people of this Nation and without bothering even to tell us. That abuse of power must be unequivocally repudiated.

Sixty million dollars has already been spent on this mistaken enterprise without a word of debate in the Congress or public dialog of any kind.

These kinds of expenditures and involvements are major issues of public policy and must be settled in a public forum.

This intervention was undertaken contrary to expert advice and opinion in both the State Department and the intelligence community.

THE RESTORATION OF FUNDING FOR PASTORAL COUNSELING, FAMILY AND CHILD COUNSELING, AND MARRIAGE COUNSELING AND RECOGNITION OF CLINICAL PSYCHOLOGISTS UNDER CHAMPUS IN DOD APPROPRIATIONS BILL

Mr. INOUE. Mr. President, I am very pleased that the final version of the Department of Defense appropriations bill, H.R. 9861, which has been approved by the House-Senate conferees, reaffirms the coverage for the services of pastoral counselors, family and child counselors, and marital counselors and provides for the status of clinical psychologists as independent providers under the CHAMPUS—Civilian Health and Medical Program of the Uniformed Services—program.

The House-passed version of this bill would have prohibited any funding for these vital services and would have subordinated the services of clinical psychologists by making mental health treatment subject to physician supervision. Senator Young and I sponsored an amendment in the Senate Appropriations Committee to restore these counseling services under CHAMPUS. I promoted an amendment which would provide for the independent services of psychologists. Both our amendments were accepted by the committee and affirmed by the full Senate.

The House-Senate conferees basically accepted the Senate version on this point, adding a proviso that these counseling services cannot be paid for under CHAMPUS if available at military medical facilities. This proviso is consistent with the intent and purpose of the CHAMPUS program—which was created to provide medical and health care to military retirees where such care was not readily available at military medical facilities.

The importance of the conferees' decisions is twofold: First, the reaffirmation of the need for the services of pastoral counselors, family and child counselors, and marital counselors under CHAMPUS; and second, recognition by both the House and the Senate of the status of trained psychologists in the field of mental health care.

As I have stated previously, the strength of our armed services rests on its morale. In restoring and affirming these professional services under the CHAMPUS program, the conferees have recognized the unique stress on marriage and family life imposed by military service—and the vital necessity of offering quality care under CHAMPUS to treat these serious problems.

Mr. TUNNEY. Mr. President, before I turn the floor over to several of my distinguished colleagues, there are a few brief comments I would like to make about my reasons for holding up the vote on the defense appropriations bill until the Senate could consider this problem of Angola in secret session.

First, I would like to say that a week ago I found myself confronted with what seemed to be an ever-widening American commitment in Angola, a commitment

which previously I knew little or nothing about. I was seriously disturbed to discover that my country, in the wake of Vietnam, could carry on a covert action thousands of miles from our shores at a cost of \$50 million without the question ever having been considered by the full Congress. My consternation only grew when I was informed by a staff member of the Central Intelligence Agency that while I could be informed by them of what the Russians were doing in Angola, I could not be briefed on what we were doing. I know a great many Members of this body shared my own dismay.

I think that if there is one thing we have learned from our experience in Vietnam it is that this country cannot afford to leave foreign policy decisionmaking to a few grand-global strategists on the 40 committee and policy planning staff of the Department of State. The Congress, if it is to fulfill its responsibilities, must be informed about foreign commitments and about the financing of covert actions. I believe the American people have made their feelings about intervention abundantly clear. We would be remiss if, in the wake of our devastating experience in Asia, we failed to demand a clear and precise accounting of the interests, objectives, and policies which this country is pursuing today in Africa.

Beyond my deep concern over the procedure by which our Angolan policy seemed to evolve, I am terribly troubled by some of the misconceptions upon which our decisions are based. For example, Secretary Kissinger and his policy staff appear to be suffering from a kind of reverse myopia. They see everything as part of a grand global game for influence carried on by the Soviet Union and the United States in which every new Soviet adventure contains in it the seeds of an eventual Communist checkmate of the free world. There is no attempt to place these conflict in the context of the lives and the cultures of the people most directly involved—be they nationalist Vietnamese or tribal Angolans.

Mr. President, this war is no opening gambit in some colossal scheme of Soviet hegemony. Let us see it for what it is—a conflict between three warring factions whose tribal origins and animosities go back decades if not centuries with little or no ideological commitment—or even recognition—on any side.

Take, for instance, the MPLA—the Soviet-backed Popular Movement. They are led by a man whose closest friend and political mentor is Mario Soares—the American-backed Portuguese Socialist leader. According to the Africa experts with whom I have spoken—including several members of the Central Intelligence Agency Africa staff—MPLA opposition to the other groups is more based upon ethnic considerations than political philosophy, and their courtship with the Soviet Union appears to be largely a matter of convenience rather than conviction.

The ethnic connections of the other two factions are just as interesting. The

front for the National Liberation backed, by both the United States and Zaire, is made up largely of members of the Bakongo tribe whose natural rivals make up the majority of the MPLA. The National Front is led, oddly enough, by a man the CIA gave up on years ago as being hopelessly incompetent and who is the brother-in-law of Joseph Mobutu, the President of Zaire who hopes to extend his own influence by proxy into Angola. The Union for the Total Independence of Angola—UNITA—is led by Jonas Savimbi—a man with an Ovambo tribal connection who was formerly foreign minister of the FNLA—but split off accusing that group of “flagrant tribalism.” UNITA is backed by South Africa largely because South Africa is afraid that if the MPLA wins it will allow anti-South African guerrilla groups to use the area now controlled by UNITA for a guerrilla war against South Africa.

This brings me to another crucial misconception. That is, that any victory by the non-Soviet-backed forces could ever hope to erase the tremendous negative impact that will be produced in other black African states by the impression that we are backing the South Africans on this question. The Africans may fear great power interference, but they unquestionably fear South African intervention more.

We must never let this vital point slip from our minds. By appearing to intervene on the side of groups backed by the South Africans we are giving black Africa what amounts to a slap in the face. We are saying to them that “we are not concerned about your fate or your fears. If we have to sign a pact with the devil to stop the Soviets in Angola we are willing to do it.” I ask my colleagues, what will it profit us if we do manage to stop the Russians in Angola and further alienate the rest of Africa in the process?

Perhaps if the Washington policy geniuses would stop for a second to get the reaction of the grassroots experts they could separate the wheat of tribal factionalism from the chaff of rigid cold-war categorization. We have academic experts on Africa talking about this lack of ideological commitment on the part of any of the factions. We have an Assistant Secretary of State Nathaniel Davis resigning, because of the damage he thinks our intervention in Angola will do to our relations with Africa as a whole. This is the man who as Ambassador to Chile ran an entire operation to destabilize a government—yet he remains unconvinced. Finally, we have experts in the Central Intelligence Agency telling me they do not understand the reason for our policy of supplying the FNLA and UNITA, and admitting that in their opinion “the differences in government should the MPLA win would be minimal.” According to them, the pro-Soviet policy in an MPLA government would be muted the way it was in Mozambique as control of the country was really secured. Do we want to alienate all of Africa—and particularly a country as close and important as Nigeria—for “minimal differences in government?” I think not.

I want to emphasize here that we all share the concern over the willingness of

the Soviet Union and Cuba to intervene in Angola. But let us put that intervention in perspective. Let us make it very clear to the Soviets and the Cubans that we view their meddling as inconsistent with détente. Let us tell them clearly that if they want American technology and investment, if they want American grain, then they had better seriously reconsider the advisability of their current strategy in Africa.

Then, let us immediately sit down with our friends in Africa—which we should have done long ago anyway—with Nigeria, and Zaire, and Ethiopia and others and try to work something out within the framework of the Organization of African Unity to get all foreign powers out of Angola. I was told yesterday by someone in the administration that an American Secretary of State had never been to Africa. Maybe now is the time.

Finally, I would like to point out that while we do not know definitely that there are funds for Angola earmarked in this bill—and while we hope that this secret session will resolve some of these questions—it is important now to put the Senate clearly on record as opposing a precipitate involvement in Angola without close and careful congressional consideration. While funds may not be earmarked specifically here, it seems clear that there is enough authority contained in the bill to provide funds either from existing contingency accounts or under general transfer authority. I would only refer my colleagues to section 733 of the bill which grants to the Secretary of Defense the authority to transfer up to \$750 million between categories in the bill for “higher priority items”—provided those items have not been proscribed by Congress.

I want to make it very clear that as long as our information is limited, as long as we are not absolutely sure that none of the money in this bill will filter down to Angola or for the use of Angola, it is vitally important that we close the gap of doubt.

In conclusion, I think this vote on my amendment which will come up following the vote on the conference report itself will be a testimony to either the determination of the Senate to assert its rightful role in insuring the careful consideration of our foreign involvements, or our own failure to learn from our past mistakes in a way the American people have clearly demanded.

I hope the current debate can help us meet those obligations. I hope, too, that it can be done in a way that will not preclude a full and frank public discussion of the issues.

SENATE RESOLUTION 333—SUBMISSION OF A RESOLUTION RELATING TO ANGOLA

Mr. STEVENSON. Mr. President, I send a resolution to the desk on behalf of myself, Senator HUMPHREY, Senator ROBERT C. BYRD of West Virginia, and also, Senator MUSKIE.

The ACTING PRESIDENT pro tempore. The clerk will state the resolution.

The second assistant legislative clerk proceeded to read the resolution.

Mr. STEVENSON. Mr. President, I ask unanimous consent that further reading of the resolution be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. The resolution is as follows:

S. RES. 333

Whereas outside powers are intervening in the conflict between rival factions in newly independent Angola;

Whereas such foreign intervention causes a higher level of violence, a tragic loss of life, and more prolonged conflict;

Whereas the peoples of Angola should be permitted to resolve their conflicts without outside interference; and

Whereas it is morally wrong and politically imprudent for the United States to ignore such intervention and the pursuit of strategic interests by foreign countries in Angola: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) the President of the United States should call upon all nations to withhold support from any of the factions in Angola engaged in military conflict;

(2) the President of the United States should instruct the United States Permanent Representative to the United Nations Security Council to introduce a resolution condemning all intervention in the civil conflict in Angola;

(3) the President should urge the Organization of African Unity to make a renewed effort to assist the opposing factions in Angola to compose their differences and establish stable democratically based government in Angola, and should pledge the support of the United States in this effort;

(4) the President, pursuant to his authority under the Export Administration Act of 1969, should curtail exports to countries which persist in intervening in the conflict of Angola;

(5) the President should seek the cooperation of other nations in imposing economic sanctions against those countries which persist in intervening in the conflict in Angola; and

(6) the President should suspend further assistance to any faction in Angola pending efforts to seek an end to all foreign intervention in Angola.

The ACTING PRESIDENT pro tempore. The Senate will be in order. The Senator will not proceed until the Senate is in order.

Mr. McCLURE. Will the Senator from Illinois yield for a question?

Mr. STEVENSON. Yes, I will yield for that purpose.

Mr. McCLURE. Is it the purpose of the Senator from Illinois to ask for immediate consideration of this resolution and its adoption?

Mr. STEVENSON. Yes, it is the intention of the Senator to do that.

Mr. President, Vietnam, the CIA, the Union of South Africa, national experiences in recent years, the association with unlikely bedfellows—all make objectivity about Angola difficult. We do not have all of the facts, and we certainly do not have sufficient time with which to adequately debate U.S. interests in Angola. This debate has generated far more heat than light.

In these circumstances, prudence dictates a discrete way out of this imbroglio and, if it is possible, some action by the Senate to serve the interests of the American people and those of this newly independent nation in Africa.

Such facts as we do have indicate the

Soviet Union is testing détente, probing the disarray and weakness in the West to pursue obscure strategic objectives. The Soviet Union is pressing us to the limit—and we have defined no limit. Indeed, the Soviet Union, détente, the relationship between the superpowers have been scarcely discussed.

Soviet activities in sub-Sahara Africa have not met with unmixed success—but they now reach into Zambia, Tanzania, Nigeria, Somalia, Ethiopia, Benin, Central African Republic, Upper Volta, Burundi, Mali, and Guinea and elsewhere. Now the Soviet Union is playing for high stakes with a major effort to install a regime of its own making in Angola. One question is whether by continued acquiescence, or an apparent indifference, the United States invites further Soviet transgressions against U.S. strategic interests in the world and against the rights of other people to conduct their own affairs. The largest question is the Soviet Union—not Angola.

Mr. President, I would be the last to minimize U.S. interest in the Third World or the historical imperatives of nationalism and self-determination which the United States sought to arrest in Southeast Asia—and which the Soviet Union is seeking to arrest in Africa. The warring tribal factions in Angola all claim the mantle of national liberation, and who can say their claims are not equal? One is backed, massively, by the Soviet Union and Cuba. That faction will succeed by force unless other factions are given some arms and money. Recognizing those facts and the implications for developed and undeveloped nations alike, the FNLA and UNITA are supported by the United States, the Union of South Africa, Zaire, and to some extent, the People's Republic of China and North Korea. In such circumstances, it should not be said of the United States that by aiding one faction in Angola, it maintains a hostile, neocolonialist presence. These nations aiding the FNLA and UNITA have a shared concern about the methods and motives of the Soviet Union in Angola and the world.

The United States, at least, is committed to the principle of self-determination. Ironically, the cessation of U.S. aid for a nationalist alliance in Angola could invite the apartheid Union of South Africa deeper into Angola. Certainly an unconditional act of withdrawal by the United States would cause greater doubts in Peking and in the capitals of our allies about U.S. resolve in the face of aggression and steadfastness in support of friends. With limited U.S. aid, not to include U.S. personnel, the Union of South Africa would probably leave Angola. While the reaction to U.S. aid would not be uniformly unfavorable in the third world, it would be, as it already is, mixed and in some places, as in Zaire, highly favorable.

Mr. President, I share all of the reservations which have been eloquently expressed today about the dangers of U.S. assistance for any party to this civil conflict. I am also deeply concerned about the consequence of a U.S. failure to heed Soviet intervention in Angola and the pleas of the Soviet Union's victims. And that brings me to the pro-

posal by the Senator from California which, in my judgment, offers the Senate a no-win proposition. If approved, it will be perceived as sanctioning by acquiescence Soviet intervention in Angola. If it is not approved, it will be perceived as sanctioning U.S. intervention. Some Members, myself included, do not want the Senate to take either course.

So, Mr. President, I probably will vote against the Tunney amendment. I do not want to vote for an amendment which terminates all support for the anti-Soviet side in Angola without any alternative response to this Soviet challenge. Have we been so traumatized by the tragic American adventure in Vietnam that henceforth we are to accept Soviet military arrogance wherever it shows its head?

Mr. President, this debate has skirted the central fact and the central issue: Soviet arms on a massive scale and a Cuban expeditionary force have landed on the shores of a newly independent African state in naked pursuit of strategic advantage.

What does détente mean, anyway? Certainly not the same to us as to the Soviet Union. If détente is to mean anything for the United States. It must be a two-way street. If the Soviet Union is to enjoy the benefits to trade in commodities which are valuable to the improvement of its standard of living, and other advantages of détente, then it must also meet certain standards of civilized international behavior.

The implausibility of continued U.S. aid to the Soviet Union in the form of technology, capital and wheat, irrespective of its conduct in the world, is brought inescapably to the attention of the Senate. The United States has just committed supplies of grain to the Soviet Union for 6 years—notwithstanding its transgressions in Angola or anywhere else. The agreement cannot mean what it says on its face. All such agreements are subject to abrogation or modification by one party if conditions are changed materially by another. The Soviet Union is relieving the United States of any obligations under that agreement—and I say "any" because it is of arguable legality anyway.

The resolution which we offer urges upon the President a course of action which emphatically rejects the Soviet exploitation of détente at the expense of U.S. interests and the rights of people in other nations—without exposing the United States unnecessarily to the risks of a long and ultimately unsuccessful involvement in Angola.

It makes it clear, and in the most emphatic terms, that the United States does not approve Soviet intervention in Angola. It proposes steps to create a climate in which the warring factions in that country can compose their differences without external interference. It charts a course that could accomplish U.S. objectives in Angola. And if the Tunney amendment is disapproved, it will make it plain that diplomatic steps, including sanctions, should be taken before the United States starts once again down the slippery slope of military involvement in a distant part of the world.

So, Mr. President, I introduce this

resolution with the distinguished Senators from Minnesota, West Virginia, and Maine, which calls upon the President to undertake a multilateral effort to induce all outside powers to withdraw support from the warring factions in Angola and, at the same time, to exercise his authority to control exports to countries which persist in providing such support.

More specifically, Mr. President, this resolution calls upon the President to call, in turn, upon all nations to withhold support from any of the factions in Angola engaged in military conflicts. It calls upon the President of the United States to instruct the U.S. Permanent Representative at the United Nations Security Council to introduce a resolution condemning all intervention in the civil conflict in Angola. It calls on the President to urge the Organization of African Unity to make a renewed effort to assist the opposing factions in Angola to compose their differences and establish stable, democratically based government in Angola, and pledge the support of the United States in that effort.

This resolution calls upon the President, also—

The ACTING PRESIDENT pro tempore. The Senator will suspend. Will the Senators and the staff in the rear of the Chamber retire to the rear to carry on their conferences—or better still, to the cloakrooms? That would assist the Senator greatly. The Chair appreciates that.

The Senator from Illinois is recognized.

Mr. STEVENSON. Mr. President, the resolution calls upon the President, pursuant to his authority under the Export Administration Act of 1969, to curtail exports to countries which persist in intervening in the conflict in Angola.

It also suggests, as the sense of the Senate, that the President should seek the cooperation of other nations in imposing economic sanctions against those countries which persist in intervening in the conflict in Angola, and suggests, further, that the President should suspend further assistance to any faction in Angola pending efforts to seek an end to all foreign intervention in that country.

NO AID TO ANGOLA

Mr. MUSKIE. Mr. President, I stand in support of the Stevenson resolution expressing the sense of the Senate to suspend U.S. support to the warring factions in Angola and by economic leverage to persuade the Soviet Union to adhere to this same principle.

Fighting among indigenous factions in Angola has intensified in recent days and both the Soviet Union and the United States are involved. Such a situation deeply concerns me.

This state of affairs is troubling for several reasons, mainly what it tells us about the intentions of the Soviet Union. Today, Moscow is pursuing an interventionist policy in Angola, increasing the anguish of that southern African state and escalating tensions between the nuclear superpowers at that very time when Washington and Moscow are supposedly trying to work out between them the confrontation strains of the past.

The lessening of tensions or détente between the United States and the

Soviet Union, if it is going to work at all and reach a level of success, must be a two-way street. Yet, the kind of aggression and expansionism on the part of the Soviet Union in Angola suggests less than a complete commitment by the Kremlin to pursue détente seriously.

Indeed, Soviet military intervention in the internal affairs of Angola is a serious erosion of Russian credibility in the United States-Soviet quest for better relations. Such hostile behavior not only erodes the spirit of détente, but also the practical possibilities of working out a mutually beneficial relationship.

Détente was never an easy policy to pursue; it is a challenge by both sides in statesmanship. But due to the Soviet escalation of the Angolan civil war, the U.S. Senate and the country as a whole should now take a new look at the current course of accommodation and cooperation on the part of the United States.

Critical and crucial stakes are involved here. Why are the Russians risking these stakes? In a year the Soviet Union is facing serious shortages in her harvest, the country requires massive importation of American grain. This will probably be true for the next several years. As the international energy crisis continues, the Soviet Union could potentially export great quantities of oil and gas, especially to western Europe and North America. These markets could now become less open to Russian commodity exports as well as manufactured goods. Western technology is greatly desired by the Soviets in order to advance its 5-year economic plans, but American experts and sophisticated electronic products, for instance, will continue to stay outside of the Soviet Union if détente does not progress. If the Russians are prepared to make a mockery of the détente relationship, then, as the Stevenson resolution proposes, let them lose some of the material advantages of détente. For instance, the President, pursuant to his authority under the 1969 Export Administration Act, could curtail exports to countries like the Soviet Union, which persist in intervening in the Angolan conflict.

Then, too, the heart of détente is the SALT II negotiations with its potential agreements on the further control of nuclear weapons. This is an essential element to the whole relationship and, as I understand it, to the future standing of the present political leadership in Moscow. The question of stabilizing European affairs, such as MBFR negotiations, and implementing the spirit of the Helsinki agreement are involved, as are potential Soviet-American projects in Third World economic development activities, in the joint exploration and exploitation of the oceans and space for the well-being of all mankind, and in common ventures to bring peace to the Middle East.

It is incredible the Soviets would risk losing these potential avenues of international cooperation and benefit unless they were never willing to fulfill the responsibilities required by détente in the first place. Perhaps they were only interested in playing an unrestrained, mis-

chievous role in faraway areas of the world.

Moscow's relations with the new nations of black Africa are not very close; only in Somalia is Soviet influence great. It has never had outright control in any African country. Perhaps the prospect of such domination motivates the men of Moscow to bolster the Popular Movement for the Liberation of Angola—MPLA, one of the three contending Angolan parties. Russian manpower, materiel, and money are now abundant in the savage fighting. There are an estimated 5,000 Cuban specialists and combat troops supporting the MPLA's operations. Soviet military advisers are on the ground, intelligence reports are unsure if they are actually involved in combat operations.

What is the U.S. interest in Angola? There is no overriding U.S. interest in this new nation which only received its independence from Portugal last month. Our security and economy will not be affected by whatever political philosophy is at the foundation of its government. It is my hope that the United States and Angola can construct a relationship that benefits both peoples. However, beyond American involvement in Angola's economic and developmental affairs, openly agreed to, we have no other interest. We should never have gotten involved to the extent we have. We know that a minimum of \$50 million is being spent by the United States covertly to support the anti-MPLA factions with rifles, machine guns, vehicles, ammunition, and logistics. The Ford administration wants more money. Will they soon want military advisers?

I oppose any further escalation of U.S. military involvement, covert or overt. America's tragic intervention in the Vietnam civil war should be a clear enough warning to our policy makers.

The current tribal conflict in Angola dates back more than several decades. Ethnic, racial, class, regional, and ideological differences divide the three nationalist movements. In addition, an intense distrust and personal animosity exist among the movements' leaders. The MPLA, the Nationalist Front for the Liberation of Angola—FNLA, and the Nationalist Union for the Total Independence of Angola—UNITA—draw most of their supporters from one of three major ethno-linguistic regions. During the many years of armed struggle against Portuguese colonialism, Angolan nationalists were unable or unwilling to form a common front.

This historical conflict and the present triangular tribal warfare should be left to the peoples of Angola to work out. Foreign governments and foreign mercenaries can only increase the bloodshed and keep the people apart. Certainly all great powers, especially white ones, should lay off. As long as the Soviet Union and the United States, in conjunction with dozens of secondary powers like Communist Cuba, the repugnant white racist regime of South Africa, Zaire, Zambia, and others, pursue policies of unilateral intervention instead of multilateral reconciliation, any hope for

peace in Angola remains dim. All diplomatic efforts need to be centered on the Organization of African Unity which has the best chance to negotiate a settlement. The Council of Ministers of the OAU will meet very soon in Addis Ababa to consider the Angolan crisis. Both the United States and the Soviet Union should be placing maximum efforts behind the activities of the OAU and its African leaders in the political pursuit toward peace so badly needed now in Angola.

I hope this message is heard loud and clear in Moscow: There is a self-defeating quality to any power-grab in places like Vietnam, Cambodia, and Angola. The wisest policy for the United States is to stay out of the Angolan conflict. I oppose any aid to Angola. The perils outweigh the rewards.

The wisest policy for the Soviet Union vis-a-vis the United States is to get out of Angola, too, if the bigger stakes—mutual cooperation between our two countries—are of any value to them. Otherwise, the Russian bear may have gained a South Atlantic outpost they cannot hold for long but lost a relationship with America, the benefits from which they may never regain.

Mr. President, not only has the debate skirted that central fact but Soviet intervention in Angola and that central question of the meaning of détente. But the amendments proposed by the Senator from California (Mr. TUNNEY) and the Senator from Michigan (Mr. GRIFFIN) are unresponsive to those central issues.

In the case of the amendment offered by the Senator from California—

The ACTING PRESIDENT pro tempore. The Chair reluctantly requests the Senator from Illinois to suspend momentarily.

Will the Senators conferring kindly withdraw to the cloakrooms.

The Senator from Illinois.

Mr. STEVENSON. If the amendment offered by the Senator from California is adopted, it will end U.S. intervention in Angola. If that amendment, Mr. President, is not adopted, it will be interpreted, however wrongly, as a sanction by the United States of Soviet intervention in Angola. Neither is responsive to either of these issues. Both, in my judgment, should be withdrawn.

I might add, Mr. President, this is no way to conduct the foreign policy of the United States. The Senator from Ohio was absolutely right. We do not have all the facts, and even if we had the facts, we would not have the time to debate them and to make a sensible decision about our interests in Angola and how best to pursue them.

What is more, Mr. President, the Senate is in some danger of acting with emotion rather than reason, reacting to Vietnam rather than Angola.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. STEVENSON. Yes; I yield to the Senator from Arizona.

Mr. GOLDWATER. Mr. President, I want to commend the Senator from Illinois for this resolution. I think it is the first thing that has made any sense in a long day.

While it may shock the Senator from Illinois to find the Senator from Arizona agreeing with him, I do. I think this resolution comes at a proper time. I am particularly interested in paragraph 4 when he urged the President to use his authority under the Export Administration Act of 1969 to curtail exports to countries which persist in intervening in Angola.

I might say we have never, as a Nation, used the instruments of national policy that we have available to us, instruments that are short of the instrument of war itself, and the one instrument we have had in which we dominated the world was the economic instrument, but we have never in my memory used that instrument, particularly during the times when we were the world's No. 1 economic power which, if we are any longer, it is only by a slim margin.

I am thinking particularly of the need of the Soviet Union for wheat, a desperate need for wheat, and we have that wheat. We seem to break our backs trying to get that wheat to the Soviets without any concession on her part as to what she might do to help us.

I think in a case such as the Senator from Illinois has discussed in his resolution that the President could use this authority given to him, and I think all Americans would back him in using this power, to extract from the Soviets or extract from any country that is causing conflict in Angola or other parts of the world an agreement that they would desist and stop this help.

I just want to again commend the Senator from Illinois, and if he does not think it would be detrimental to his interests at home or here, I ask unanimous consent, if he agrees, to have my name included, along with Senator HUMPHREY and Senator STEVENSON, as a cosponsor, and I will ask the forgiveness of my saints in heaven. [Laughter.]

Mr. STEVENSON. Mr. President, I hope that does not require the forgiveness of the saints in heaven. I am delighted and pleased by the Senator's comments, and I hope it does not shock him to find me agreeing with him and, what is more, agreeing to the extent that I probably will vote against the amendment offered by the Senator from California and for the reasons suggested by the Senator from Arizona, namely, that the United States should not deprive itself of any weapons with which to pursue any legitimate foreign policy objectives.

The ACTING PRESIDENT pro tempore. Without objection, the Senator from Arizona is included as a cosponsor.

Mr. ROBERT C. BYRD. Mr. President, will the Senator include my name also?

Mr. STEVENSON. If the Senator will withhold for one moment, I respond further to the remarks of the Senator from Arizona about questioning the suggestion that food is and should be used as a weapon. I would put the proposition slightly differently and suggest that the United States loses its authority, loses its credibility in the world, when, on the one hand, it seeks to oppose Soviet intervention in Angola with aid to tribal factions in that country and, on the other

hand, aids the intervenor with not only food but also with capital and with technology and noncommercial measures which we could go into but will not.

The United States has just entered into a 6-year agreement for the supply of food to the Soviet Union and, on the face of that agreement, the commitment of the United States is unconditional.

The commitment is good notwithstanding the behavior and conduct of the Soviet Union in Angola or any other part of the world or on any issue whether it is emigration, mutual and balanced force reduction in Europe, or SALT or you name it.

One of the concerns of the Senator from Illinois is that détente is a legitimate objective of the United States, if by détente we mean relaxation of tensions. But the pursuit of détente by such methods, a 6-year commitment, unconditional agreement, transfers of technology, in a year and a half a billion in subsidized credits to the Soviet Union, will produce the reverse of détente. It produces tension, confrontation, and is doing so today in Angola.

So it is not simply a matter of using food as a weapon. My own opinion is that it is very largely a question of stopping the pursuit of a legitimate objective by counterproductive methods; and, in the case of food or any other form of assistance for the Soviet Union conditioning that assistance upon a continuing and a periodic evaluation of that country's conduct in the world, and that conduct in that part of the world, Angola, is not, in the judgment of the Senator from Illinois, justified at the present time with a commitment of food or of other exports to the Soviet Union for the benefit of that country.

So I thank the Senator for his comments.

I ask unanimous consent, Mr. President, to add the present occupant of the Chair, the Senator from Florida, as a cosponsor of this resolution.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. GOLDWATER. Mr. President, will the Senator yield for just a moment?

Mr. STEVENSON. Yes.

Mr. GOLDWATER. I am in agreement, further agreement, with the Senator from Illinois, especially in his understanding of the word "détente."

I have begged the Secretary of State on three different occasions to go on television in this country to explain to the American people what he looks on détente as being because I do not believe the average American understands what the Secretary is trying to do with that term.

I would like to think that his understanding is the same as that of the Senator from Illinois. Détente is merely "you have something I want and I have something you want. Can't we get together and have an understanding," and from time to time we will get over it. Maybe I am a bit harsh in including food in economic warfare, but it is a very effective weapon. War is far worse and, with the proper use of the weapons we have had available, political, economic, and so forth. I believe war can be

avoided. I believe war can be avoided, along with power for as long as we care to do it.

I am glad again the Senator has introduced this resolution. I am glad he made the comments he has made, and I think it will provide very interesting reading to those who follow the Record.

Mr. STEVENSON. I thank the Senator.

We have our agreements, but not about the necessities for power, but I certainly agree with his comments.

Mr. President, I ask unanimous consent for the immediate consideration of this resolution.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. ROBERT C. BYRD. Mr. President, did the Senator add my name as I asked him to?

Mr. STEVENSON. I did and I am grateful to the Senator.

Mr. ROBERT C. BYRD. I thank the Senator.

The ACTING PRESIDENT pro tempore. On the immediate consideration of the resolution—

Mr. MANSFIELD addressed the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Montana.

Mr. MANSFIELD. Mr. President, I ask unanimous consent—

The ACTING PRESIDENT pro tempore. There is a pending unanimous-consent request by the Senator from Illinois.

Mr. MANSFIELD. Fine.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. PACKWOOD. What is that request?

The ACTING PRESIDENT pro tempore. To the immediate consideration of the Senator's resolution.

Mr. PACKWOOD. I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

It will go over under the rule.

The Senator from Montana.

Mr. MANSFIELD. Mr. President, I am sorry there was objection to an amendment of this nature which has such disparate and different sponsors as the Senator from Illinois and the Senator from Arizona, as well as others, but I would suggest that in view of the objection raised that the distinguished Senator ask unanimous consent that it be placed on the calendar.

Mr. STEVENSON. Mr. President, I so request.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. GOLDWATER. Reserving the right to object—I might implore our friend, if he would reconsider, we do not have much time left to get such a resolution up before this—

Mr. PACKWOOD. I understand that. I regard it as very significant.

I will say to the Senator from Illinois, it was so significant that I do not want to take it up tonight and have it passed just by voice vote.

I think I am with him, but to do something of this magnitude at this hour of the night, we talk about persistent intervening. I do not know if that means South Africa or a variety of countries. I

am just not prepared on this short notice to take up a matter of this magnitude.

The ACTING PRESIDENT pro tempore. Is there objection to placing it on the calendar?

Without objection, it is so ordered.

ORDER FOR NOMINATIONS TO BE RETAINED IN THE SENATE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all nominations sent down by the President prior to the ending of the first session of the 94th Congress be retained in the Senate and not sent back to the White House because of the 30-day interregnum which may exist between the first and second session, with the exception of the nominations which are or will be before the Committee on Labor and Public Welfare.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. GOLDWATER. Again reserving the right to object—and I will not object—the Armed Services Committee is meeting tomorrow morning at 9:30 to consider a number of nominations that are very important. I wonder if the majority leader would abide by his request that these will be held over until after the first of the year?

Mr. MANSFIELD. All those which the President sent down before the Congress adjourns sine die, the end of the 1st session of the 94th Congress, will remain down here with the exception of the nominations now in or may be in the Committee on Labor and Public Welfare.

In other words, an agreement to this unanimous-consent suggestion prevents the usual return of nominations during which a 30-day lapse occurs.

Mr. GOLDWATER. But if the Armed Services Committee tomorrow voted out the appointments we had to consider, would there be a chance of having them considered before the end of this session?

Mr. MANSFIELD. If there is no objection, if there are no holds, but if there are any holds they will have to wait until the beginning of the session, but they will be available rather than being sent down again.

Mr. GOLDWATER. I thank the Senator.

The ACTING PRESIDENT pro tempore. Is there objection? Without objection, it is so ordered.

Mr. MANSFIELD. I yield to the Senator.

Mr. ROBERT C. BYRD. May we have order, Mr. President?

The ACTING PRESIDENT pro tempore. The Chair asks the Senator from Montana, is it the purpose of the unanimous-consent request of the Senator that nominations be kept alive irrespective of the sine die adjournment?

Mr. MANSFIELD. That was the purpose, rather than be sent back to the White House, to be sent down again and the process started out.

The ACTING PRESIDENT pro tempore. The Chair thanks the Senator.

Mr. MANSFIELD. Will the distinguished Republican leader yield to me?

Mr. ROBERT C. BYRD. Mr. President, I will yield to the Senator.

SENATOR STONE COMPLETES 200TH HOUR AS PRESIDING OFFICER OF THE SENATE

Mr. MANSFIELD. Mr. President, the distinguished Senator from Florida now presiding over this body has just completed his 200th hour as the Presiding Officer of the Senate during this session.

We are making all kinds of records this year. I am not sure all of them are good, though this record is a good one, because I believe that the record will indicate, as I tried to state on yesterday, that we have been in session more hours than in any other session up to date, that we have eclipsed the old record for rollcall votes, as the distinguished assistant Democratic leader brought out a couple of days ago.

But I am not too proud about the long hours spent in this Chamber. I think there are too many, too long.

I am not too happy about the voting record. I think we could do with less voting and save more time.

But I am extremely happy about the record just established by the distinguished Senator from Florida who, incidentally, during the course of the closed meeting of the Senate this morning for a period of 3 hours conducted himself with aplomb, dignity, integrity, and a knowledge and understanding which I think surprised his colleagues, though it did not surprise me.

So all honor to the Senator from Florida who has proved himself to be an outstanding Senator, who believes in sunshine, who avoids closed meetings—except the one today we got him there—and who has performed quite nobly.

Mr. McCLURE. Will the majority leader yield to me?

Mr. MANSFIELD. Yes, indeed.

Mr. McCLURE. I would like to join in the remarks that have just been made in commendation to the Senator who now occupies the Chair.

It is not only the number of hours he spent in the Chair, but the manner in which he has conducted himself and the business of the Senate while he has been there.

I think it would be fair to say that on behalf of all the Members of the Senate, and certainly the Members of the minority, that the Senator from Florida has certainly grown in the esteem and the affection of every Member of the Senate and every one of us would like to join in the commendation that have been expressed by the majority leader.

Mr. JAVITS. Will the Senator yield to me?

Mr. MANSFIELD. Yes.

Mr. JAVITS. Just to associate myself with those remarks and to add, he is a great beginner.

Mr. ROBERT C. BYRD. Mr. President, I share the views that have been expressed so ably by the distinguished majority leader, the distinguished Senator from Idaho, and the distinguished Senator from New York about the Senator from Florida who now presides over the Senate.

He is a man whose heart is as stout as the Irish oak and as pure as the lakes of Killarney.

The ACTING PRESIDENT pro tempore. The Chair wishes to thank each of the Senators for their very kind remarks. The Chair is deeply gratified.

HOUSE JOINT RESOLUTION 749—PROVIDING FOR THE BEGINNING OF THE SECOND SESSION OF 94TH CONGRESS

Mr. ROBERT C. BYRD. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on House Joint Resolution 749.

The ACTING PRESIDENT pro tempore. The joint resolution will be stated by title.

The assistant legislative clerk read as follows:

A joint resolution (H.J. Res. 749) to provide for the beginning of the second session of the 94th Congress and for other purposes.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. ROBERT C. BYRD. Mr. President, I ask for the immediate consideration of the amendment at the desk.

The ACTING PRESIDENT pro tempore. The amendment will be stated.

The assistant legislative clerk read as follows:

On page 2, line 3, change the period to a comma and insert the following: "and (c) notwithstanding the provisions of clause (3) of section 5(b) of such Act (15 U.S.C. 1024(b)), the Joint Economic Committee shall file its report on the President's 1976 Economic Report with the Senate and the House of Representatives not later than March 19, 1976."

Sec. 3. That prior to the convening of the second regular session of the Ninety-fourth Congress on January 19, 1976, as provided in section one of this resolution, Congress shall reassemble at 12 o'clock meridian on the second day after its Members are notified in accordance with section four of this resolution.

Sec. 4. The Speaker of the House of Representatives and the President pro tempore of the Senate shall notify the Members of the House and the Senate, respectively, to reassemble whenever in their opinion the public interest shall warrant it or whenever the majority leader of the House and the majority leader of the Senate, acting jointly, or the minority leader of the House and the minority leader of the Senate, acting jointly, file a written request with the Clerk of the House and the Secretary of the Senate that the Congress reassemble for the consideration of legislation."

Mr. ROBERT C. BYRD. Mr. President, I move the adoption of the amendment.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The ACTING PRESIDENT pro tempore. The joint resolution is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendment and the third reading of the joint resolution.

The amendment was ordered to be engrossed and the joint resolution to be read the third time.

The joint resolution was read the third time.

The ACTING PRESIDENT pro tempore. The joint resolution having been read a third time, the question is, Shall it pass?

The joint resolution (H.J. Res. 749), as amended, was passed.

ORDER TO POSTPONE INDEFINITELY SENATE JOINT RESOLUTION 153 AND SENATE CONCURRENT RESOLUTION 74

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the resolution, Senate Joint Resolution 153, be postponed indefinitely, and that the same request is made for Senate Concurrent Resolution 74.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

AMENDMENT OF THE NATIONAL READING IMPROVEMENT PROGRAM

Mr. ROBERT C. BYRD. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on H.R. 8304, and that the bill be considered as having been read twice.

The ACTING PRESIDENT pro tempore. The bill will be stated by title.

The assistant legislative clerk read as follows:

A bill (H.R. 8304) to amend the National Reading Improvement Program to provide more flexibility in the types of projects which can be funded, and for other purposes.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which was considered to have been read the second time by title.

Mr. ROBERT C. BYRD. Mr. President, I call up an amendment which is at the desk and ask for its immediate consideration.

The ACTING PRESIDENT pro tempore. The amendment will be stated.

The assistant legislative clerk proceeded to read the amendment.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection it is so ordered.

The amendment is as follows:

On page 1, line 4, insert "(a)" after "Section 1."

On page 1, lines 9 and 10, insert after the word "paragraph" the following: "during the fiscal year 1976 and the period beginning July 1, 1976 through September 30, 1976."

On page 2, line 12, strike out "any" and insert in lieu thereof "the".

On page 2, line 13, after "year" insert the following: "1976, and, for the period from July 1, 1976 through September 30, 1976."

On page 2, between lines 13 and 14, insert the following:

(b) Part C of such Act is amended by adding after section 723 the following new section:

"STATE LEADERSHIP AND TRAINING PROJECTS
"SEC. 724. The Commissioner is authorized to enter into agreements pursuant to this

section with State educational agencies for the carrying out by such agencies of leadership and training activities designed to prepare personnel throughout the State to conduct projects which have been demonstrated in that State or other States to be effective in overcoming reading deficiencies. The activities authorized by this section shall be limited to—

"(1) assessments of need, including personnel needs, relating to reading problems in the State,

"(2) inservice training for local reading program administrators and instructional personnel, and

"(3) provision of technical assistance and dissemination of information to local educational agencies and other appropriate non-profit agencies."

(2) The amendment made by paragraph (1) of this subsection shall take effect on October 1, 1976.

(3) Section 705 (a) (3) of the Education Amendments of 1974 as added by subsection (a) of this section is repealed effective September 30, 1976.

(c) Section 732 of such Act is amended by adding at the end thereof the following new subsection:

"(e) There are authorized to be appropriated to carry out the provisions of section 734, relating to State leadership and training projects, \$8,400,000 each for the fiscal year ending September 30, 1977, and for the succeeding fiscal year."

On page 3, line 20 and 21, strike out "3 per centum" and insert in lieu thereof "1 per centum".

On page 4, between lines 7 and 8, insert the following:

NATIONAL IMPACT READING PROGRAMS

On page 4, line 8, insert "(a)" after "Sec. 6."

On page 4, line 9, strike out "section 723" and insert in lieu thereof "section 724".

On page 4, line 11, strike out "Sec. 724." and insert in lieu thereof "Sec. 725."

On page 4, line 20, strike out the word "any" and insert in lieu thereof "the".

On page 4, line 21, after "year" insert the following: "1976, and for the period from July 1, 1976 through September 30, 1976."

On page 4, between lines 21 and 22, insert the following:

(b) (1) Section 725 of the Education Amendments of 1974 as added by subsection (a) of this section is amended by striking out "(a)" after the section designation and by striking out subsection (b) of such section.

(2) The amendment made by paragraph (1) of this subsection shall take effect on September 30, 1976.

(c) Section 732 of such Act is amended by adding at the end thereof the following new subsection:

"(f) There are authorized to be appropriated to carry out the provisions of section 725, relating to national impact reading programs, \$800,000 each for the fiscal year ending September 30, 1977 and for the succeeding fiscal year."

On page 5, line 19, strike out "Sec. 725." and insert in lieu thereof "Sec. 726."

On page 8, line 6, strike out "(e)" and insert in lieu thereof "(g)".

On page 8, line 7, strike out "section 725" and insert in lieu thereof "section 726".

On page 8, line 14, strike out "section 725" and insert in lieu thereof "section 726".

On page 8, lines 15 and 16, strike out "section 725" and insert in lieu thereof "section 726".

On page 8, after line 16, insert the following:

SPECIAL EMPHASIS PROJECTS

SEC. 10. Section 721(b)(1) of such Act is amended by inserting "and (c)" after "section 705(b)".

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. BEALL. Mr. President, I rise to urge the enactment of H.R. 8304. This measure provides that a number of amendments to the national reading improvement program, which was enacted in 1974 as part of the education amendments of that year. I was pleased to coauthor this program with Senator EAGLETON and believe that it is one of the most promising education programs that we have.

The bill before the Senate today makes two important changes in the 1974 program.

First, it makes clear that the reading programs funded under the discretionary right-to-read program, which preceded the national reading improvement program, will continue. It was never the intent of Senator EAGLETON or me that the ongoing right-to-read efforts be terminated with the enactment of the law. The right-to-read effort program. Indeed, in the Senate-passed bill, the right-to-read effort was clearly continued. The right-to-read effort provides grants to the States for leadership and training programs and also for certain national impact programs. The 1974 conference committee authorized a State grant approach but provided that the State grant program would not become operative until the funding level exceeded \$30 million. With the appropriation level only \$17 million, the State-level grant programs are in jeopardy unless the Congress acts. Thus, this clarification will mean that the State grants, such as received by Maryland, will be able to continue.

In my State, the right-to-read program has given emphasis to and impetus for reading efforts. Maryland is developing standards for evaluating both system and school reading programs, developing leadership through seminars for supervisors and principals, and reviewing reading material.

The second major amendment would authorize a new reading motivation program under which local community agencies will contribute inexpensive books to school children. The bill makes available Federal matching assistance of 50 percent of the cost of conducting reading motivational programs by local sponsors of such programs. A 3-year, \$22 million program is provided and if fully funded, it is estimated that an additional 21 million books will be distributed to over 4 million children.

Again, I would point out that in the Senate-passed reading provisions last year, we included support for reading is fundamental—RIF-like projects which we will be able to expand with the enactment of today's bill. The RIF provisions under this measure, however, are much more comprehensive than the 1974 provisions and are essentially the language of S. 2535, which was coauthored by Senator EAGLETON and I, on the Senate side and by Congressman AL QUIE as H.R. 9048 on the House side.

The RIF program results from idea of an individual and it serves to show

requirements of this section with respect to his status have been complied with: *Provided further*, That any person making a false affidavit shall be guilty of a felony, and, upon conviction, shall be fined not more than \$4,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penal clause shall be in addition to, and not in substitution for, any other provisions of existing law: *Provided further*, That any payment made to any officer or employee contrary to the provisions of this section shall be recoverable in action by the Federal Government. This section shall not apply to citizens of the Republic of the Philippines or to nationals of those countries allied with the United States in the current defense effort, or to temporary employment of translators, or to temporary employment in the field service (not to exceed sixty days) as a result of emergencies.

Mr. TOWER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. CRANSTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CRANSTON. Mr. President, I ask unanimous consent that William Jackson and Emily Thuber of my staff may have privileges of the floor during consideration of the Angola matter.

Mr. ROBERT C. BYRD. Mr. President, reserving the right to object.

Mr. CRANSTON. In open session only.

Mr. ROBERT C. BYRD. I have no objection.

Mr. McCLELLAN. Reserving the right to object, what is the request?

The PRESIDING OFFICER. The request of the Senator from California is that two of his staff members be allowed the privileges of the floor during consideration of the Angola matter while the Senate is in open session.

Mr. McCLELLAN. I have no objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CRANSTON. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TIME-LIMITATION REQUEST— S. 622

Mr. ROBERT C. BYRD. Mr. President, I have cleared this request, I think, with interested Senators and those who are principals in the debate. I ask unanimous consent that at such time as the Senate resumes consideration of the motion to concur in the House amendments to the Senate amendments to the House amendments to S. 622, there be a time limitation of 2 hours thereon, to be equally divided between Mr. FANNIN and Mr. JACKSON; that the debate begin at 4 p.m. today; and that upon the expiration of the time, a vote occur upon the motion.

The PRESIDING OFFICER (Mr. ROTH). Is there objection?

Mr. ROBERT C. BYRD. Mr. President, I withdraw the request for the time being.

Mr. TUNNEY. Reserving the right to object.

Mr. ROBERT C. BYRD. I have withdrawn the request.

DEPARTMENT OF DEFENSE APPROPRIATIONS, FISCAL YEAR 1976— CONFERENCE REPORT

Mr. McCLELLAN. Mr. President, I move that the Senate concur in the amendments of the House to the amendments of the Senate Nos. 49, 53, 75, 83, 98, and 101 to H.R. 9861 in the conference report.

The PRESIDING OFFICER. Is there objection?

Mr. TUNNEY. Mr. President, I object to en bloc consideration of all the amendments. I have no objection to consideration of five of the amendments en bloc, but I want amendment No. 75 to be considered separately.

Mr. McCLELLAN. Mr. President, I modify my motion.

I move that the Senate concur in the amendments of the House to the amendments of the Senate numbered 49, 53, 83, 98, and 101.

The motion was agreed to.

AMENDMENT NO. 1303

Mr. McCLELLAN. Mr. President, I again move that the Senate concur in the House amendment to the Senate amendment No. 75. That will be the pending motion.

Mr. TUNNEY. Mr. President, I move to amend the House amendment to Senate amendment numbered 75 as follows:

Strike "\$205,600,000," and insert in lieu thereof: "\$172,600,000, none of which, nor any other funds appropriated in this Act may be used for any activities involving Angola other than intelligence gathering, which funds are".

This language is contained in amendment No. 1303 which is at the desk.

Mr. McCLELLAN. Mr. President, will the Senator yield? What is the objection to the money? Why cannot the Senator just move that no funds be used for this purpose?

The PRESIDING OFFICER. Will the Senator from Arkansas yield? The question is on agreeing to the motion to concur in the House amendment to Senate amendment numbered 75 with an amendment, which the clerk will report.

The legislative clerk read as follows:

That the House recedes and concurs with an amendment to Senate amendment numbered 75, with an amendment.

Mr. CLARK. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

UNANIMOUS-CONSENT REQUEST—S. 622

Mr. ROBERT C. BYRD. Mr. President, I renew my request with respect to the energy bill.

The PRESIDING OFFICER. Is there objection?

Mr. TUNNEY. Reserving the right to

object, I do not know how much time Senators are going to want to take on this amendment and the debate thereon, but it would seem to me that if we could just continue the debate until we get a vote and then bring up the other conference report, it might make for a little bit more orderly procedure because there are a number of Senators who have indicated they wanted to participate in the debate, they wanted to listen to it and, do you not think, it would be better just to continue the debate until we reached a conclusion and then have a vote up or down and then move to the next business?

Mr. ROBERT C. BYRD. No, not under the present circumstances. The adoption of this unanimous-consent request would not have any impact upon the debate on this amendment in disagreement except that at 4 o'clock today the Senate, if it had not disposed of that amendment by 4 o'clock, would go to the House message on the energy bill, would stay thereon for 2 hours, vote on the motion pertaining to S. 622, and then go back to the pending motion before the Senate.

I think in the long run—with the Senate hoping to complete its business by the close of business on Friday, and many Senators having reservations on airlines and being forced to get out of here tomorrow at some point—it would be better if we could get this request agreed to and dispose of the energy bill, at a set time. Then the Senate would go back, if it had not previously disposed of it, to the pending question now before the Senate.

Mr. TUNNEY. I would like to propound, Mr. President, the following question to my distinguished leader: What about a vote on the pending amendment at 4 o'clock and, following the disposition of that amendment, we could then move on to the energy conference report?

Mr. ROBERT C. BYRD. That would be fine.

Let me get a time limitation on S. 622 first.

Mr. McCLELLAN. Which conference report are we asking about?

Mr. ROBERT C. BYRD. It is not a conference report. It is the motion to concur in the House amendment to the Senate amendment to the House amendments to the bill S. 622.

Mr. TOWER. I hope we could get this coupled with a time to take up.

Mr. TUNNEY. I am prepared to offer a unanimous-consent request that we have a vote on the Tunney amendment at 4 o'clock and, following the disposition of that amendment, we then move on to the energy conference report for 2 hours with a vote to be taken thereon at 6:15.

Mr. TOWER. Very well.

Mr. MORGAN. Mr. President, reserving the right to object, I think the amendment offered by the Senator from California is a very important amendment and will have far-reaching effects. I do not believe we should place any time limitation on it and, for that reason, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. ROBERT C. BYRD. Mr. President,

in view of the fact that objection has been made to the request of the Senator from California, I would like to renew my request that the Senate at 4 o'clock today proceed to the consideration of the motion on the energy bill with a 2-hour limitation thereon to be between Mr. FANNIN and Mr. JACKSON; then, upon the disposition of that bill, with a vote to occur immediately upon the expiration of that time, the Senate resume consideration of the amendment in disagreement on the defense appropriation act.

Mr. TUNNEY. I want to be cooperative, but the Senator from North Carolina has made the point that this pending amendment is very important, and that is the reason he has objected to a time limitation being placed on the amendment.

I would be perfectly prepared to have a 2½-hour or 3-hour time limit placed on it, but I think because it is important we ought to be discussing it in a fashion in which there is a degree of continuity developed in the debate rather than having 2 hours on the amendment and then shifting off for 2 hours onto the energy conference report and then coming back to it late in the afternoon or early in the evening and, perhaps, not winding the thing up until 11 o'clock at night.

I think it is only fair if this amendment is so important that we dispose of it this afternoon when we have Senators present. We all know in the evening many Senators—not many, some Senators—feel they have to leave the body and meet other commitments. I think we ought to dispose of this amendment right now, and if the Senators want to be over here and participate in the debate I think we can dispose of the amendment in 2 hours.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the Senate proceed at this time to the consideration of the motion on the energy bill, with a 2-hour limitation thereon, to be equally divided between Mr. FANNIN and Mr. JACKSON; that upon the expiration of that time, or earlier, if the time is yielded back, the Senate vote on the adoption of the motion, and upon the disposition of that vote the Senate then resume consideration of the pending amendment in disagreement to the defense appropriation conference report.

Mr. TUNNEY. Reserving the right to object, I would like to ask my distinguished leader if he anticipates any other business being inserted on the Senate floor prior to the disposition of this amendment when it comes up after the energy report is disposed of.

Mr. ROBERT C. BYRD. As far as the leadership is concerned, that would only be done by unanimous consent, and the Senator from California could prevent its being done simply by objecting.

Mr. TUNNEY. With that understanding I do not object to the immediate consideration of the energy report, but I think that once we start off with the amendment that we continue on it until it is disposed of.

Mr. McCLELLAN. Mr. President, reserving the right to object, what is the request? I could not hear the Senator.

Mr. ROBERT C. BYRD. The request is that the Senate proceed at this time to

the consideration of the motion on the energy bill with a time limitation thereon of 2 hours; upon the expiration of that time—or upon its being yielded back before the expiration of 2 hours—the Senate vote on the motion on the energy bill and then resume consideration of the defense appropriations conference report, the amendment in disagreement.

Mr. McCLELLAN. Mr. President, I have no objection to the first part of the request. As to the second part, with respect to the time limitation, I found this morning that we had no control of time limitations and I, for the moment, have to object as to the time limitation on debate.

Mr. ROBERT C. BYRD. There is no time limitation on debate.

Mr. McCLELLAN. The Senator said 2 hours.

Mr. ROBERT C. BYRD. On the energy conference report, not on the Senator's bill.

Mr. McCLELLAN. As long as there is no time limitation on the pending amendment to the conference report I have no objection. But I had a bad experience this morning.

Mr. TOWER. Reserving the right to object, and I shall not object, actually this is consideration of S. 622 rather than a conference report.

Mr. ROBERT C. BYRD. Yes, the able Senator is right—it is the motion to concur in the House amendment to the Senate amendment to the House amendments to S. 622. I am so accustomed to referring to conference reports at this stage, the inadvertence comes natural. I thank the Senator for calling the correction to my attention.

Mr. GOLDWATER. Reserving the right to object, Mr. President, and I will not object, there is no time limitation on debate on the Tunney amendment.

Mr. ROBERT C. BYRD. I beg the Senator's pardon?

Mr. GOLDWATER. No time limitation on debate on the Tunney amendment.

Mr. ROBERT C. BYRD. No.

Mr. GOLDWATER. It could be debated at great length?

Mr. ROBERT C. BYRD. There is no time limitation.

Mr. GOLDWATER. And it probably will be.

The PRESIDING OFFICER. Is there objection?

Mr. WEICKER. Reserving the right to object, I wonder if I might suggest the absence of a quorum so that I might discuss a matter with the acting majority leader.

The PRESIDING OFFICER (Mr. HATCHFIELD). The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. TOWER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TOWER. Mr. President, I ask unanimous consent that on an ensuing quorum, the time consumed be charged to neither side, and I suggest the absence of a quorum.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERT C. BYRD. Mr. President, I renew my request.

The PRESIDING OFFICER. Is there objection?

Mr. GRIFFIN. Reserving the right to object—

Mr. McCLELLAN. Will the Senator state his request? I do not know what has been going on here and I want to know, before I agree to something, what it is.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. GRIFFIN. I do not intend to object, but may I ask a parliamentary inquiry?

The PRESIDING OFFICER. The Senator will state it.

Mr. GRIFFIN. Would an amendment in the nature of a substitute to the Tunney amendment be in order?

The PRESIDING OFFICER. It would be.

Mr. GRIFFIN. Before the unanimous-consent request is agreed to, I send to the desk a substitute for the Tunney amendment and ask that it be stated.

Mr. JAVITS. Mr. President, a further parliamentary inquiry.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

On page 1, line 1 of amendment Number 1303, strike the language after "\$205,600,000," and insert in lieu thereof "none of which, nor any other funds appropriated in this Act may be obligated or expended to finance the involvement of United States military or civilian forces in hostilities in or over from off the shores of Angola, which funds are".

Mr. JAVITS. Mr. President, reserving the right to object, I make a further parliamentary inquiry.

The PRESIDING OFFICER. The amendment is not drafted as a substitute. It could be offered as a perfecting amendment.

Mr. GRIFFIN. Is it in order as a perfecting amendment?

The PRESIDING OFFICER. It is in order as a perfecting amendment.

Mr. GRIFFIN. Then I offer it as such.

Mr. MANSFIELD. Would the Senator allow us to get the consent agreements reached?

Mr. JAVITS. I would like to ask a question.

On the energy, of course, I yield for that purpose.

The PRESIDING OFFICER. The Senator from Montana.

The Senator from West Virginia.

Mr. ROBERT C. BYRD. Mr. President—

Mr. TOWER. May we have order, Mr. President, so everybody will understand fully what this is all about?

The PRESIDING OFFICER. The Senator's point is well taken.

Will the Senate please be in order? The Chair would request all Senators to clear the well and go to their desks.

The Senator from West Virginia.

Mr. ROBERT C. BYRD. Mr. Presi-

December 17, 1975

CONGRESSIONAL RECORD - SENATE

S 22473

Approved For Release 2001/11/01 : CIA-RDP77M00144R000400100017-2

dent, at the request of the distinguished Senator from Arkansas (Mr. McCLELLAN) I renew the request.

I ask unanimous consent that the Senate now go to the consideration of the House message on S. 622, that there be a time limitation thereon of not to exceed 2 hours to be equally divided between Mr. FANNIN and Mr. JACKSON, that upon the expiration of that time or upon its being yielded back, the Senate vote immediately on the adoption of the motion to concur in the House message on S. 622, that upon the disposition of that motion, the Senate then resume consideration of the pending matter.

The PRESIDING OFFICER. Is there objection?

Mr. McCLELLAN. For the moment, Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

The question is on the amendment of the Senator from Michigan.

Mr. JAVITS. Mr. President, I thought I had the floor for a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state his parliamentary inquiry.

Mr. JAVITS. With reference to the perfecting amendment just submitted by Senator GRIFFIN—

The PRESIDING OFFICER. The Senator will suspend.

Will there be order in the Senate, please? Attaches and others will please take their seats.

The Senator from New York.

Mr. JAVITS. Is a substitute in order notwithstanding the existence of a perfecting amendment unacted on?

The PRESIDING OFFICER. A perfecting amendment unacted upon would preclude the offering of a substitute amendment.

Mr. JAVITS. But a perfecting amendment on a substitute may be offered upon the disposition of the perfecting amendment?

The PRESIDING OFFICER. The Senator is correct.

Mr. JAVITS. And the perfecting amendment is not subject to further amendment?

The PRESIDING OFFICER. The Senator is correct, it is in the second degree.

Mr. JAVITS. I thank the Chair.

Mr. TUNNEY. A point of order, Mr. President.

The PRESIDING OFFICER. The Senator will state his point of order.

Mr. TUNNEY. In reading the language of this amendment—

Mr. MANSFIELD. Will the Senator yield briefly?

Mr. TUNNEY. Yes, I yield to the Senator.

Mr. ROBERT C. BYRD. Mr. President, I renew my request. Let me state it again.

I ask unanimous consent that the Senate at this time—and I do not want to cut off any Senator who is about to offer—

Mr. TUNNEY. It was a point of order I was going to raise.

Mr. ROBERT C. BYRD. Very well.

I ask unanimous consent that the Senate at this time proceed to the consideration of the motion to concur in the House amendment to the Senate amend-

ment to the House amendment to the Senate bill S. 622; that there be a time limitation thereon of 2 hours to be equally divided between Mr. FANNIN and Mr. JACKSON; that upon the expiration of that time or upon its being yielded back a vote occur on the motion; and that upon the disposition of that matter the Senate then resume consideration of the pending matter.

The PRESIDING OFFICER. Is there objection?

Mr. RANDOLPH addressed the Chair.

Mr. McCLELLAN. Reserving the right to object—and I do not want to object and I will not if I can have this understanding with the leadership—that at any time after 6 o'clock tonight—I do not mind staying until then if this matter has not been disposed of, and I am not going to agree to a limitation of time—if this matter has not been disposed of, a motion will be in order to recess until tomorrow. I do not propose to stay here all night on account of 2 hours out for something on this pending business.

Mr. ROBERT C. BYRD. Yes; the Senator has that understanding.

Mr. McCLELLAN. Do I have that understanding?

Mr. ROBERT C. BYRD. Yes.

Mr. CLARK. I object to that.

Mr. ROBERT C. BYRD. Now, wait—

Mr. YOUNG. I object.

Mr. MANSFIELD. No.

Mr. YOUNG. I want to find out if there will be one of these foolish closed sessions or not.

Mr. GRIFFIN. The Senator from North Dakota objected.

The PRESIDING OFFICER. Objection is heard.

Mr. YOUNG. I withdraw my objection.

The PRESIDING OFFICER. The objection is withdrawn.

The Senator from West Virginia.

Mr. RANDOLPH. I am going to reserve the right to object.

Mr. ROBERT C. BYRD. Senators do not know what they are objecting to. There has been no request that there be a 6 o'clock recess.

The Senator from Arkansas merely wanted it understood that a motion to recess would be in order at 6 o'clock. This rulebook permits that. We do not need unanimous consent for that. That motion to recess is in order right now or at any time a Senator wants to make it today.

Mr. McCLELLAN. I want it understood that I could make it. I do not intend to stay here all night.

Mr. ROBERT C. BYRD. I hope Senators will not object on that flimsy basis.

The PRESIDING OFFICER. Hearing no objection, it is so ordered.

ENERGY POLICY AND CONSERVATION ACT

The PRESIDING OFFICER. The Chair lays before the Senate the message from the House which the Clerk will state.

The legislative clerk read as follows:

Resolved, That the House recede from its disagreement to the amendment of the Senate to the amendments of the House to the bill (S. 622) entitled "An Act to provide

standby authority to assure that the essential energy needs of the United States are met," and so forth, and concur therein with an amendment.

Mr. TOWER. Mr. President, I suggest the absence of a quorum and ask unanimous consent that the time consumed be charged to neither side.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. TUNNEY. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEPARTMENT OF DEFENSE APPROPRIATIONS, FISCAL YEAR 1975—CONFERENCE REPORT

Mr. TUNNEY. I had a parliamentary inquiry, Mr. President. I wanted to ask the Chair whether or not the amendment that was offered by the Senator from Michigan (Mr. GRIFFIN) constituted legislation on an appropriation bill.

The PRESIDING OFFICER. The Chair will take the inquiry.

Mr. GRIFFIN. I might ask, Mr. President, whether the same objection will then apply to Mr. Tunney's amendment.

The PRESIDING OFFICER. Neither the amendment by the distinguished Senator from California (Mr. TUNNEY) nor the perfecting amendment of the distinguished Senator from Michigan (Mr. GRIFFIN) constitute legislation on an appropriation bill—they are both limitations.

The Senator from Ohio.

ENERGY POLICY AND CONSERVATION ACT

Mr. GLENN. Mr. President, I yield myself such time as I may need for an opening statement.

The PRESIDING OFFICER. Will the Senator suspend?

Mr. HANSEN. I ask unanimous consent that Nolan McKean of my staff be granted the privilege of the floor during debate on the pending legislation.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator will suspend until the Senate is in order.

Will the Senators please take their conferences and discussion to the cloak-room?

The Senator from Ohio may proceed.

Mr. GLENN. Mr. President, I am the designee of Mr. Jackson. He will be here shortly. I would like to make an opening statement.

Mr. President, although it has taken most of 1975 to get to this point with regard to energy legislation, I believe the act that we have before us today represents a good compromise position, and in the very best sense of the word "compromise."

Although the act involves many policy areas, pricing has obviously received the most attention. Congress started the year with some very hard-line concepts re-

garding lower price ceilings and averages, concepts in marked contrast to administration positions. This hard-line has gradually changed, moving upward to the act's provisions for a composite which existed in January of 1975, just prior to the tariff. With OPEC on the scene, prices in January can be looked at as "free-market including OPEC influence," hence the \$11.28 figure for new oil which then existed and which the act reflects in the \$7.66 composite. An \$11.28 price, of course, is only one of the options available to the President under the average price formula, but it is the one most likely to be used in a two-tier system. This final position represents the acceptance of a substantial move upward in pricing for many Members of Congress, and there was a general feeling that "enough is enough," no more give on this or other points.

However, after lengthy discussions, it was apparent there were still serious administration reservations regarding this pricing level.

That, plus the fact that no one at either end of Pennsylvania Avenue can know with absolute certainty what our general economic condition will be in the years ahead, led to another provision in the act. This compromise gives the President far more flexibility to mold and shape the program as time shows the adequacy or inadequacy of the starting position.

Once again, there was reticence at the congressional end to see the program become this flexible. However, with the idea that the President can agree with the "lower than he would like" pricing if he has real flexibility to adjust pricing at stated intervals as needs arise and conditions change, that concept was finally accepted. The above, subject to either House or Senate disapproval is in itself a compromise, since some Members started out talking "both House" specific approval.

Another area of flexibility debated at great length was using the GNP deflator plus 3 percent incentive—10 percent approximately—as an automatic Presidential prerogative, and that was included.

Compromises obviously please no one completely, in the branches of Government or in the industry affected. The industry is naturally pushing for higher prices, but I must say I have been somewhat surprised at the excessive statements made to the press by some oil spokesmen.

It has also been unfortunate that the news reports have concentrated on price rollbacks and the political implications of an election year postponement of increases. To me, using the January 1975 pretariff price was a natural place to start, and it made sense to delay an increase through the first year or so of economic recovery, which we hope continues.

It has been interesting to note the economic writers changing estimates of the impact of this act. First, it was to be 3 cents per gallon rollback at the pumps then 3 to 3½ cents, then 2 cents, and the last figure—Wall Street Journal, I believe—was 1 to 1½ cents.

I think the estimates may well be down

to no rollback at the pumps before long. This does not indicate that I have any dispute with the committee nor with the figures that were put into the Record by our distinguished chairman (Mr. Jackson) last evening during debate on this bill.

The only reflection on this is that some of the economic writers of the country have overly indicated in their assessments of the price impacts of this bill I think perhaps too much has been made of the rollback aspect of the bill.

Overlooked by most people have been the many other far-reaching provisions of this act.

Just in part, some of the major ones are:

Conversion of certain facilities to coal;
FEA guaranteed loans to increase coal production;

Steps promoting the use of recycled oil;

Authorizing maximum efficient rate production from certain fields;

Energy efficiency labeling for home appliances;

Programs to encourage increased industrial energy efficiency;

Grants to States to help develop and implement conservation programs suited to local conditions;

Fuel economy performance standards for automobiles and other light vehicles; and many other provisions which I shall not go into.

I know what has transpired this year on the congressional side and realize how far we have come in a spirit of compromise. I believe this act reflects the best that can be achieved now, and sincerely hope it will be signed.

As we know, the energy problem is extremely complex and plays a pivotal role in our economy, society, and indeed the welfare of the whole world. I do not like to compromise the disruption that might be attendant to a veto of this legislation, arrived at after very lengthy good-faith negotiation between the Houses of Congress and the administration.

I believe this bill can provide the starting point—a basis for solving our vexing energy problems.

I urge my colleagues to join me in making every effort to pass this legislation.

Mr. FANNIN. Mr. President, first of all I commend the distinguished Senator from Ohio for his determination that we have a good bill. We have worked together on many phases of energy legislation, not only this particular energy bill, but the ERDA bill and other bills that have come before us, and he has certainly done yeoman service in getting the best out of the members of the conference committee that could be obtained. I know that we did come out with a better bill—although I am not satisfied with it—because of his hard work, and, as I say, his determination that we do something about our energy shortage.

Mr. President, it is regrettable to me that we do not have a bill that I can support. It is not my intention today to delay action on this bill. We shall be

voting on it soon, but before we vote, I would like to analyze this measure, because I believe that is in order.

I shall comment briefly on four areas of great concern to me. They are:

First. National energy policy and the impact of this legislation upon it; second. The legislative history and procedural peculiarities associated with this bill; third. An examination of some of the bill's more onerous provisions; and fourth. The future implications if this bill becomes law.

The later, of course, is the factor that is most important.

As to national energy policy, there is not a member of this body who would disagree that our three primary national goals regarding the petroleum sector of our energy economy are to: first. Step up domestic production; second. Reduce consumer demand; and third. Reduce the level of our oil imports.

These are our goals, and I feel that there is not a member of this body who would dispute that prices for domestically produced oil have a very influential bearing on the extent to which each of these three goals will be achieved. The relationship between supply and price was eloquently articulated in this classical quotation from the writings of Milton Friedman. He said:

Economists may not know much, but we do know one thing very well—how to produce shortages and surpluses. Do you want to produce a shortage of any product? Simply have Government fix and enforce a legal maximum price on the product which is less than the price that would otherwise prevail. Do you want to produce a surplus of any product? Simply have Government fix and enforce a legal minimum price above the price that would otherwise prevail.

It is clear that a \$7.66 composite price for domestic oil even with a 10 percent annual escalator is much less than a "price that would otherwise prevail." The result: guaranteed shortages.

The bill also contains another provision prohibiting a "legal minimum price." The result: guaranteed shortages.

With a guaranteed shortage of domestically produced oil, the inevitable result—disputed by no one in this body—is that dependence on increasingly larger amounts of foreign oil will occur.

With an artificial ceiling on oil prices demand will increase, another fact not in dispute.

Accordingly, the relationship of this bill to achieving our national energy goals is as follows:

First. It will decrease domestic production.

Second. It will increase consumer demand.

Third. It will increase oil imports.

There is nothing esoteric about these relationships between price and supply. American voters understand this relationship.

Less than a month ago Louis Harris conducted a nationwide poll in which 1,519 Americans of all walks of life were asked about their views on energy policy.

Here is how they answered Mr. Harris and I am quoting from his report:

By 61 to 17 per cent, a majority believes that decontrol would have oil companies an

Senate

TUESDAY, DECEMBER 16, 1975

(Legislative day of Monday, December 15, 1975)

The Senate met at 9 a.m., on the expiration of the recess, and was called to order by Hon. RICHARD STONE, a Senator from the State of Florida.

PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Almighty God, we thank Thee for prophets and seers who heralded the coming of Him who would be the Light of the World.

We thank Thee for the simple home into which He came, with its gentle yet royal ancestry; for the wise men who knew what to follow and when to stop; for shepherds who not only saw visions but acted on them; for the aged folk who having seen no star waited in patience for the coming of the Messiah.

We thank Thee for the one universal church of all creeds, sects, forms, and cultures, of all races and kindreds of mankind, grouped around the manger in common devotion, and in hope of a new and better day for the whole world.

Grant, O God, to renew in us this simple message and instill within us its higher hope.

We pray in His name. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. EASTLAND).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., December 16, 1975.
To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. RICHARD STONE, a Senator from the State of Florida, to perform the duties of the Chair during my absence.

JAMES O. EASTLAND,
President pro tempore.

Mr. STONE thereupon took the chair as Acting President pro tempore.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Journal of the proceedings of Monday, December 15, 1975, be approved.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. The Senator from Michigan is recognized.

SELECT COMMITTEE TO INVESTIGATE ABUSES IN THE LABOR-MANAGEMENT FIELD

Mr. GRIFFIN. Mr. President, today I am sending out to my colleagues in the Senate a letter which reads as follows:

DECEMBER 16, 1975.

DEAR COLLEAGUE: As you may know, several weeks ago, I introduced a Joint Resolution (S. Res. 302) calling for establishment of a bi-partisan Select Committee—like the McClellan Committee of the 1950's—to investigate racketeering and other serious abuses in the labor-management field, particularly in light of current widespread allegations relating to the Teamsters Union and investment of its pension funds.

The mystery of what happened to Jimmy Hoffa is intriguing. But even more important to millions of union workers is the question: Why?

Almost all of the reaction to my resolution has been positive. In addition to hundreds of cards and letters from union members across the country, I have received petitions signed by 1,780 Teamsters in the Detroit area alone strongly supporting such a Congressional investigation. Furthermore, an organization, known as the Professional Drivers Council for Safety and Health (PROD), which says it represents 1,600 Teamsters in various States, is openly supporting our effort.

The Detroit Free Press recently editorialized that "a balanced investigative committee of the Senate is the antidote. . . . If the public interest is to be protected, as well as the legitimate pension rights of thousands of truckers, that investigation must be started promptly." The Chicago Tribune has spoken out editorially for the resolution. Indeed, the only significant opposition registered so far has come from Mr. Frank Fitzsimmons, who heads the giant Teamster Union.

Thus far, nine Senate colleagues have joined as cosponsors of the resolution. Others have indicated that they like the idea and may wish to become co-sponsors.

S. Res. 302 is now on the Senate's Calendar. At an appropriate time after the holiday recess, it will be my intention to move for consideration and press for a vote on this measure. In the meantime, if you should decide to become a cosponsor, I will welcome your support and I know it will be appreciated by thousands of rank and file union members.

Sincerely,

BOB GRIFFIN,
U.S. Senator.

THE OKLAHOMA ELECTION DISPUTE

Mr. GRIFFIN. Mr. President, I was shocked and deeply disappointed by the action along party lines on yesterday when the Committee on Rules failed, in my opinion, to face up and make the right decision for the benefit of the Sen-

ate in the dispute raised by Mr. Edmondson concerning the election by the voters of Oklahoma of Mr. BELLMON as Senator.

Mr. BELLMON won that election, not by 2 votes, but by 3,835 votes.

The principal complaint of Mr. Edmondson is that in Tulsa County the voting machines were not equipped with the straight party lever, and voters there had to vote for each candidate of their choice. However, it is very interesting, and somewhat disturbing, that the voting machines there are programed and arranged as they are, primarily because of actions taken, as I understand, by the secretary and chief clerk of the Tulsa County Election Board, both of whom are active Democrats.

In fact, as the testimony discloses, these two officials actually assisted after hours in Mr. Edmondson's election campaign. Furthermore, the machines in Tulsa County were exactly the same machines, operated exactly the same way, 2 years earlier when Mr. Edmondson was defeated in a race for the Senate by Mr. BARTLETT.

Following the election, Mr. Edmondson took his protest to the local county court. The local judge excused himself and an outside impartial judge was brought in to hear the case. He is a Democrat. The judge listened to all the testimony and then dismissed Mr. Edmondson's petition. Thereafter, the case was appealed to the Supreme Court of the State of Oklahoma, a court of nine judges, eight of whom are Democrats. The Supreme Court of Oklahoma received the case very carefully, and unanimously dismissed the petition, and directed that a certificate of election be issued in favor of Senator BELLMON.

This is a frivolous contest, one that should not be taken seriously except by partisans determined to wield raw political power. I am concerned that the handling of this case may reflect adversely on the Senate as an institution. I hope it will not be necessary for us to become bogged down in another spectacle in order for the minority to protect the rights of Mr. BELLMON and the people of Oklahoma who elected him.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, how much time do I have remaining?

The ACTING PRESIDENT pro tempore. The Senator has 7 minutes remaining.

ORDER FOR TRANSACTION OF ROUTINE MORNING BUSINESS TODAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that after the special orders have been concluded,

S 22241

December 16, 1975

there be a period for the transaction of routine morning business of not to exceed 15 minutes, with a time limitation on statements of 5 minutes attached thereto.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. MANSFIELD. When the special orders have been completed and morning business is finished, what will be the pending business?

The ACTING PRESIDENT pro tempore. S. 2568 will be the pending business.

Mr. MANSFIELD. Is that Calendar No. 444?

The ACTING PRESIDENT pro tempore. That is correct.

Mr. MANSFIELD. Mr. President, I yield the remainder of my time to the distinguished Senator from California (Mr. TUNNEY).

The ACTING PRESIDENT pro tempore. The Senator from California is recognized.

DEPARTMENT OF DEFENSE APPROPRIATIONS

Mr. TUNNEY. I thank the distinguished leader for yielding me time.

I wish to make a couple of points with respect to an amendment that I and a number of others are going to offer tomorrow when the military appropriations bill comes to the Chamber.

Inasmuch as we are going to have a secret session of the Senate for 2 hours prior to the time that we open debate on the bill for a period of a half-hour and inasmuch as we can expect some secret or classified information to be made available during that secret session, I think it is important to lay before the Senate, before I have had an opportunity to be privy to any secret or classified information, what the purpose of the amendment is and the form that it is going to take, so that no one can say at some future point that those of us who are sponsoring this amendment used the secret information that we obtained in a secret session to justify in the Chamber in open session publicly an amendment which perhaps would rely for the expression of opinion as to why it is important on the secret information.

The amendment is going to provide basically that no moneys under the military appropriations bill can be used in Angola for other than intelligence-gathering activities. It will be made very clear that the money can be used for intelligence-gathering, but the purpose of the amendment is to avoid any military or paramilitary support for one faction or the other in Angola. The amendment is not going to require the recommitting of the conference report. The amendment is

going to be to a House amendment and will come after the vote on the conference report.

I think that it is clear to those of us who have been working on this amendment, Senators CLARK, CRANSTON, KENNEDY, BROOKE, and others, that we feel strongly that the issue is one of basic principle. Should the United States become involved once again in military activities in an undeveloped part of the world, perhaps being dragged into ever-increasing commitments such as occurred in Vietnam?

But I strongly emphasize that the Senator from California has no secret information at this time as to what is in that appropriations bill.

I only have rumors and all the others that I have spoken to only have rumors with respect to funds that may be made available to the CIA to support covert paramilitary or military activities in Angola.

I hope that the points that are brought out in the secret session will convince a majority of our colleagues that this amendment is meritorious and deserves to be supported, but it should be clear that the support for the amendment should not be dependent upon secret information being used in a fashion which is unlawful or which is contrary to the accepted principles that all of us have come to believe is necessary for the handling of top secret or classified information in our Government. I, for one, do not want to be a party to releasing confidential top secret information but, on the other hand, I do not want moneys that I am going to vote for to go to Angola.

I thank the distinguished leader for making the time available.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. TUNNEY. Yes, I yield to the distinguished leader.

Mr. MANSFIELD. Mr. President, I have been somewhat disturbed at various aspects of our foreign policy in recent weeks.

I commend the distinguished Senator from California for raising a warning signal at this time.

I did not vote for the 200 U.S. technicians to be stationed on the Sinai Desert, because it brought to my mind memories of 1954 when exactly 200 U.S. technicians were sent to Vietnam.

I do not want to see another Vietnam under any circumstances, and I am concerned not only about the stationing of 200 U.S. technicians in the Sinai, which in my opinion typifies a direct involvement or a possible direct involvement, but I am also concerned, in another sense, about the amount of money and the use of that money in Angola through the use, as I understand it, and this is only public knowledge on my part—I have no secret information either—of

something on the order of five spotter planes, something on the order of various types of hardware being sent in, and rumors to the effect that Americans are being recruited to take sides in Angola.

So, I hope that this warning flag will be heeded.

I have requested the chairman and the ranking member of the Committee on Foreign Relations to call a full committee meeting at which time I hope it will be possible to hear the testimony of Secretary Kissinger and Mr. Colby, the Director of the CIA.

I also hope, furthermore, in line with the War Powers Act and other instrumentalities passed by Congress, that Congress will be kept better informed so that as the direct representatives of the American people we shall be able to establish the facts as we understand them and when necessary report to our people thereon.

So I commend the distinguished Senator, and I am delighted this matter is coming to a head before it is too late.

Mr. TUNNEY. Mr. President, will my leader yield to me for a question?

Mr. MANSFIELD. Yes, indeed.

Mr. TUNNEY. Does he not feel that there is a substantial difference between making funds available in a military appropriation bill or foreign aid bill, or whatever, for intelligence-gathering activities, which we recognize that Congress is not going to be totally informed of those activities, and the use of moneys for the purposes of carrying on military or paramilitary activities in a foreign land?

Mr. MANSFIELD. Yes, I agree. I am somewhat disturbed at the parallelism between the present situation developing in the Congo and what had developed in Vietnam and for which we paid a terrible price.

To me the Vietnam disaster is the most tragic episode in the history of the Republic: 55,000 died, 303,000 wounded, a cost up to this time of something of the order of \$150 billion and, according to the estimates of the Bureau of the Census, Department of Commerce—I have not the figures ready, but they are in the Statistical Abstract of the United States—1973—we will be paying for that war into the end of the first half of the next century, about 2045, and the ultimate cost has been calculated, and I think it is going to be much more, at somewhere between \$350 and \$375 billion. We cannot afford these misadventures.

Again I commend the distinguished Senator.

Mr. President, I ask unanimous consent to have printed in the Record a table showing estimates of the total cost of American wars, by rank.

There being no objection, the table was ordered to be printed in the Record, as follows:

NO. 406.—ESTIMATES OF TOTAL COST OF AMERICAN WARS, BY RANK

[In millions of dollars, except percent]

War	Estimated ultimate costs	Original war costs ¹	Veterans' benefits		Total costs to 1973 ³	Estimated interest payments on war loans	
			Total costs under present laws ²	Percent of original war costs		Total	Percent of original war costs
World War II.....	664,000	288,000	290,000	100	96,447	86,000	30
Vietnam conflict ⁴	352,000	128,000	220,000	200	7,271	22,000	20
Korean conflict.....	164,000	54,000	99,000	184	16,960	11,000	20
World War I.....	112,000	26,000	75,000	290	52,411	11,000	42
Civil War (Union only).....	12,952	3,200	8,580	260	8,572	1,172	37
Spanish-American War.....	6,460	400	6,000	1,505	5,526	60	15
American Revolution.....	190	100	70	70	70	20	20
War of 1812.....	158	93	49	53	49	16	17
Mexican War.....	147	73	64	88	65	16	14

¹ Based on expenditures of Departments of the Army and Navy to World War I and major national security expenditures thereafter. Usually the figures begin with the year the war began but in all cases they extend 1 yr beyond the end of the actual conflict. See "Historical Statistics of the United States, Colonial Times to 1957, series Y 351-352 and Y 358.

² To World War I, estimates are based on Veterans' Administration data. For World War I, World War II, and Korean conflict, estimates are those of the 1956 report of the President's Commission on Veterans' Pensions plus 25 percent (the increase in the average value of benefits since the Commission made its report).

³ Source: U.S. Veterans' Administration, "Annual Report of Administrator of Veterans Affairs."

⁴ Estimates based on assumption that war would end by June 30, 1970 (except for original war costs and for veterans benefit costs to 1973).

⁵ Estimated Department of Defense expenditure in support of Southeast Asia for fiscal year 1965 to 1972.

⁶ Medium-level estimate of 200 percent (high, 300; low, 100) based on figures expressing relationship of veterans' benefits payments to original costs of other major U.S. wars.

⁷ Medium-level estimate of 20 percent (high, 30; low, 10) based on figures showing interest payments on war loans as percentage of original costs of other major U.S. wars.

Source: Except as noted, U.S. Congress, Joint Economic Committee, "The Military Budget and National Economic Priorities, pt. 1, 91st Cong., 1st sess. (Statement of James L. Clayton, University of Utah.)"

The above estimates are contained in the Statistical Abstract of the United States—1973. It is published by the U.S. Department of Commerce, Social and Economic Statistics Administration, Bureau of the Census.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senator from Arizona (Mr. FANNIN) is recognized for not to exceed 15 minutes.

Mr. FANNIN. Mr. President, I ask unanimous consent that the order be changed, so that the distinguished Senator from Utah may proceed before the Senator from Arizona.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Utah is recognized.

Mr. GARN. Mr. President, I thank the distinguished Senator from Arizona for switching with me so that I can make another appointment.

THE HIDDEN TAX ON OUR ECONOMY CAUSED BY GOVERNMENT OVERREGULATIONS

Mr. GARN. Mr. President, today I should like to talk about the hidden tax on our economy and on our people that is caused by Government overregulation—the bureaucracy.

The cost to every American, of excessive and wrongheaded Federal regulations, is placed from a conservative estimate of \$60 billion per year to an estimated \$130 billion per year, or \$2,000 per American family as recently reported by President Ford. The number of Federal employees needed to man this regulatory Frankenstein monster is estimated to be from 63,000 to over 100,000 Government bureaucrats, and the number is growing year to year.

Congress is considering and passing new legislation placing more controls on our daily lives. From about the 1870's laws affecting or regulating commerce were passed with great care and up into the middle of the 1960's only about 15 laws were enacted to regulate our lives. However, since the mid-sixties there has been an explosion of regulatory legislative activity, with about 60 laws having been enacted to hamstring and hinder the dynamic, but fragile force known as the free enterprise system.

The cost of this rapid and unnecessary expansion of regulatory bodies is seen in our everyday lives from the cost of heating our homes, driving our cars, and cooking our meals, have increased because of Government interference in the energy market, by their setting artificially low prices for natural gas, which hindered new exploration, and by the slapping on of price controls on oil that we desperately need to run our factories. The sudden oil shortage of 1973 was brought about by shortsightedness, on the part of Government, by requiring import quotas on foreign oil—during the 1960's—which encouraged foreign development of oil sources to the detriment of new American sources.

The cost in terms of wasted manpower, loss of productivity, use of scarce capital to meet regulatory requirements, instead of putting it into use to produce more and better products and the immeasurable effect upon the economy, can scarcely be quantified, but certainly the loss is tremendous.

There are many agencies regulating our lives: Let us take a look at some of the costs of their regulating our economy.

When Congress jumped on the pollution bandwagon, it paid little attention to the inflationary costs. It is estimated that industry will spend more than \$127 billion between 1972 and 1976; which means—additional costs which must be passed to consumers.

Restrictive rate policies of the Interstate Commerce Commission add \$5 billion per year in excess freight rates, according to a recent economic study. Although paid by shippers, the ultimate costs are passed on to consumers.

Moreover, the Bureau of Domestic Commerce says that unnecessary National Labor Relations Board regulations that lead to featherbedding are costing Americans up to \$3 billion in railway shipping costs, \$400 million more at the supermarket, and more than \$275 million in truck shipping costs.

A study by George Douglas and James Miller III, for the Brookings Institution,

estimates that for the year 1969 alone, passengers paid excess fares ranging between \$366 million and \$538 million attributable to the lack of competition in air fares, for which passengers received service improvements valued between \$118 million and \$182 million. The difference between the fare and service figures represent one of the costs of the inefficiency in the airline industry which is promoted by CAB regulation.

The cost of buying a new auto has skyrocketed because of Federal mandated equipment. For example, new car buyers in 1974 paid over \$3 billion more for Government-required safety equipment. Of course, the Congress recently saw the light on one issue and overturned the requirement for seat belt interlock system for starting one's car.

The Government's agencies also cause delay, which is often fatal to an industry or company. The agencies were established to expedite matters but, unfortunately, instead of expediting action, one of the largest parts of the hidden cost to the public of regulation is regulatory delay. This inherent delay in agencies set up for the purpose of speeding decisions is certainly one of the most serious deficiencies of regulatory agencies today.

An example of such delay is the merger case before the Interstate Commerce Commission—which was filed in 1963 to merge the Rock Island with various western rail carriers.

The Rock Island and the western railroads had been waiting since 1963—waiting through 274 days of hearings, lasting over 27½ months waiting for the administrative law judge to issue three volumes of an initial decision 10 years later, on February 15, 1973; and waiting for nearly a year after the ICC heard final oral argument on this case, for a Commission decision. On November 8, 1974, the Chairman of the ICC made a public announcement that a majority of the Commission had approved the merger of the Rock Island and Union Pacific Railroads, with certain conditions, but that the Commission's

decision would not be available for distribution for an additional "several weeks."

The Commission's decision came 6 years after the ICC reported on the status of the Rock Island merger case at the Senate Commerce Committee "oversight" hearings.

Eleven years ago, before this merger case was filed, the Rock Island was a profitmaking railroad. Since 1965, while the case has been pending, the Rock Island lost approximately \$90 million, with 1974 estimated losses of \$17 million—up approximately 14 percent from 1973.

Another measure of change—in the last decade while the Rock Island and other Western railroads were waiting a merger decision, in order to change their plant facilities, Sears, in the retail market served by the Rock Island, opened approximately 110 new stores, and closed or relocated 70 old stores.

The Jones Act—which requires shipments of cargo from one port in the United States to another to be made by American vessels—also illustrates the conflict between two or more objectives. The staff of the Senate Finance Committee estimates that it costs 8 to 10 cents more per million cubic feet to transport liquified natural gas—LNG—between Alaska and the West coast by American-flag vessels than by foreign-flag vessels.

Attempts to avoid this 8 to 10 cents "tax" results in a roundabout, expensive procedure whereby Alaska exports LNG to other countries and the mainland United States imports LNG from the South Pacific and Russia—in foreign-flag vessels.

The Jones Act was enacted to aid the American shipping industry. In practice, it tends to aid foreign shipping industries and to reduce the availability or increase the cost of goods to the American consumer.

We all believe in making available the safest product possible and the CPSC is charged with the responsibility of making certain that consumer products are safe. However, the following story demonstrates how overregulation operates and how expensive it is to us all.

The Consumer Product Safety Commission, upon learning of a University of Oklahoma doctor's suspicion that there may be a link between abnormal children born to some of his patients who used spray adhesives, in the summer of 1973, called 3M and Borden executives and told them their spray glues—13 brands in all—were banned. Both companies promptly notified their distributors and set about removing the products from the market. Another spray gluemaker, Woodhill Chemical Sales Corp., Cleveland, removed its product voluntarily.

Seven months later, after university testing of the glues, the tests failed to find any link between the products and the genetic damage claimed by the doctor. The CPSC lifted its ban. 3M asserted that they lost \$3 million in sales of the product during the ban; Borden dropped its line altogether, feeling it would not pay to reintroduce it, and

Woodhill lost about \$80,000 because of the ban.

The single greatest threat from CPSC, as business sees it, is the cost of altering products to meet CPSC standards. OPEI—Outdoor Power Equipment Institute—executive director, Dennis Dix, says OPEI's mower manufacturer members voluntarily spent \$48 million to upgrade safety on their 1973 models. The cost of mandatory safety changes, especially unnecessary ones, could wipe out smaller manufacturers.

Upon recommendation by the CPSC, Consumers Union wrote a proposed set of standards for the lawnmower industry. CU's standards call for a deadman control to stop the mower blade 2 seconds after the operator releases the handle; complete enclosure of the blade within a half inch from the ground; reduction of maximum blade tip speed to 15,000 feet per minute; a sound alarm and signal light that would go on when riding mowers lean too far to the side; and a device that would stop the engine when the fuel tank cap is removed. Mower manufacturers protest that the requirements are all safety design, rather than safety performance standards; that they call for specific safety features rather than allowing manufacturers to design a variety of solutions.

In May 1975, the Outdoor Power Equipment Institute—OPEI—announced a study it commissioned from the Stanford Research Institute—SRI—in which SRI concluded that it would cost the mower building industry \$520 million to implement newly proposed mandatory lawnmower standards being developed by the Consumers Union for the Consumer Product Safety Commission. SRI estimates that 190,000 mower injuries occur annually, totaling some \$400 million for such costs as medical expenses and lost wages.

SRI findings reveal over 85 percent of all lawnmower injuries are due to operator error, while a previous CPSC study showed 95 percent due to operator error. According to SRI, implementation of the proposed standards could reduce unit sales from 7,400,000 to 5 million, and SRI stated that engineering and new capital requirements to meet the standard could force 25 of the industry's smaller firms—of the estimated 60 to 75 mower manufacturers—out of production and result in causing the loss of some 16,000 jobs in the outdoor power equipment industry. OPEI concludes that the cost of a \$100 walk-behind rotary lawnmower, could increase as much as \$86 with compliance to the new standards.

Another example of an expensive mistake by a Government agency is the following tale of woe:

E. H. Weder, chairman of the Highland, Ill., Manufacturing & Sales Co., late in April 1972, received a letter from the Federal Drug Administration's Bureau of Product Safety, informing him that FDA was planning to ban the sale of all flammable cellophane Easter grass, and hence he needed to destroy his stock.

Failing to secure FDA's approval, allowing him to market his Easter grass

marked "flammable" Mr. Weder destroyed his cellophane grass and, at a cost of \$950,000, retooled his machinery to produce nonflammable Easter grass, which would cost consumers more.

While he was shopping during the following Easter season, Mr. Weder noticed that flammable cellophane Easter grass was being sold with the label "flammable" attached to the grass. Incensed, Mr. Weder phoned the FDA asking why he could not sell flammable grass while his competitors could. He was informed that since there were no medical reports claiming injuries caused by flammable Easter grass, it had been determined that it was rather senseless to ban the grass, if it was not harmful, and that he simply had not been informed of the Bureau's policy change.

The automobile industry has been on the receiving end of many new and costly regulations.

Since enactment of the Motor Vehicle Safety Act in 1966, 59 safety act standards and regulations have been put into effect. Today, nearly 900 separate points must be tested or checked on a typical full-size model in order to certify compliance. The average cost to the consumer on a cumulative basis, just to meet the presently applicable safety standards, is estimated to be approximately \$400 per car. This includes approximately \$155 for added bumper protection for the car's safety systems * * *

It is estimated that the safety and damageability standards that have been proposed, or are scheduled to go into effect during the next 2 model years, could result in an additional cost to the consumer of approximately \$350 at current economic levels. This would bring the total consumer costs for these standards alone to approximately \$750 by 1977 * * *

While there has been some postponement in the schedule to reach this ultimate reduction—of a further 90 percent reduction in emissions over the levels already achieved—the 1975 emission levels have resulted in equipment on the vehicle costing the consumer an estimated \$215 on a cumulative basis.

If a way can be found to meet the 1977 and 1978 emission standards on production vehicles, current projection is that this could result in additional consumer costs of approximately \$110 in 1977 and \$150 additionally by 1978 * * *. Further, the 1978 emission levels have been achieved only experimentally at very low mileage. These additional costs would bring the total costs to the consumer—for emissions equipment—to approximately \$475 by 1978 * * *.

To summarize, the cost on a cumulative basis to consumers for safety and emission control equipment on cars through the current 1975 models totals approximately \$615 per car—consisting of \$400 for safety and \$215 for emission controls. Looking to 1978, and the prospect of more stringent safety and emission standards, as well as the imposition of Federal damageability requirements, consumer costs can be expected to increase by approximately another \$610. Thus, by 1978 consumers would have to pay about \$1,225 per car just for the

next 30 years, in my opinion. We needed that rate of growth, but we don't need that rate, and, in fact, can't stand that rate in the future.

Last year this country spent over \$104 billion for health care. Back in the fifties we spent about 4 1/2 % of our gross national product for health. Now we spend 8.3%.

No wonder the Congress is becoming cost-conscious. No wonder we like to see cost/benefit studies.

The big cry in Washington today is cost-benefit analysis. As you know, I take part in appropriating money for the Department of Defense and they've been using cost-benefit analysis for years.

But none of this should be a great problem to you.

Your lead institute, the National Eye Institute, is one of the best in bringing the ideas of planning, of explicit programming, to the world of research.

I have looked at your Vision Research Program Planning document. I am very much impressed that the Congress did not have to order this plan. We ordered one in the case of cancer. We ordered one in the case of heart. But the eye institute and the eye research community came up with a plan on your own initiative. That impresses the Congress.

Your plan talks of establishing research priorities. Congress has done a bit of that. The most widespread and feared of diseases are getting the largest research budgets. Now I understand that blindness is the second most feared disease after cancer. The figures in the NIH budget don't reflect that. I know it and you know it. It is apparent that the impact of the polls has not been felt by the committees of the Congress. No one can accuse me of bias. I've been faithful to both cancer and eye disease and have been treated for both.

My advice to you is that you approach the Congress with your figures well under control. Gross guesses and wild estimates are routinely flung around the halls of Congress every day. But we need something better than that.

I notice that one of your witnesses this year gave us properly documented data. He pointed out that 400,000 cataract operations are performed annually. Dr. Maumenee told my committee that cataract patients once spent a week or more in the hospital but now often stay just overnight. Now that is a tremendous saving, considering daily hospital charges.

We need more of this kind of data.

I notice that your plan calls for demonstration projects related to the prevention, diagnosis, and treatment of eye disease. I would advise you to get to these projects fast.

A committee of the Association for Research in Vision and Ophthalmology has told the President's Biomedical Research Panel that a clinical project study section might be created at the National Eye Institute to extend basic research achievements in rapid fashion to clinical field trials so that research benefits get to the people faster.

This is certainly an idea to be explored.

I want to say a special word about training. You know, the administration wanted to kill NIH research training programs, lock, stock, and barrel. They fought like tigers. Caspar Weinberger was no tropical flower out of California. The Office of Management and Budget didn't let us down, either. They maintained their prime time image as the ogres of the Potomac.

We didn't join 'em—we licked 'em!

They zero-budgeted training. We appropriated money for training. They impounded the money. The courts made them turn it loose. A new law allowed them to suggest rescissions. We turned them down on that. Training was restored when the impounded money was released. I know training pro-

grams have been damaged. But the concept is firmly planted.

The fight is not over. It is one of those battles that must be fought repeatedly.

Here, again, we need solid facts and figures on what training does. Not what it does for beefing up research departments. Not what it does for trainees. But, what it does for the American people. For patients.

Watch how you handle this one. The number of active physicians was 272,000 in 1963. It is, now, about 363,000. Health industry personnel have been increasing rapidly in numbers.

When you justify a training program, make sure you tell us exactly what the trainees will be doing in training, five years from now, and in mid-career. What will the public get out of it.

I would think that at some stage of your planning—and you've just begun—you will come up with a model of the eye care delivery system: How many ophthalmologists are needed, how many paramedicals, how many surgeries, probably all this in terms of personnel per 100,000 population, or some such objective measure.

This is really biting the bullet. But I can assure you that the unlimited production of medical manpower in this country will not wash. I hear from many ophthalmologists that there are too many in the field already. Your planning will need to come up with some objective measures of what is needed and why. The medical disciplines that do this will, in my judgment, be most persuasive with the Congress.

If you don't do it, there is good reason to believe that, under the pressure of National Health Insurance and continuing rising health spending, that the government will do it for you.

My committee believes strongly in good training programs. We have fought for you in the past. We'll fight again. But you must do your share. Give us the ammunition.

Whatever you do along these lines, stay in touch with Washington. Research to Prevent Blindness was instrumental in the original groundwork when we in Congress created the National Eye Institute. Research to Prevent Blindness has been active, consistent, ready with the figures whenever we've called on them.

Where such an organization is working closely with the Congress and the Executive Branch, we in Congress listen. And, when the same organization puts its own money into research, into the community, in helping with campaigns to build ophthalmology departments, then it's more than a lobby, and we really listen.

I was told in appropriations hearings, that one of the things you ophthalmologists have to brag about is Dr. Machemer's new cutter. It allows the removal of clouded portions of the vitreous, sometimes giving sight to the blind in a way that was only talked about in miracle stories until recently. I understand Research to Prevent Blindness gave some support to Machemer at Miami.

You have been able to create cataracts of the diabetic type experimentally and reverse them with chemicals. Even more important, you have begun to unlock the etiology of the cataract of senility. Since that ailment is so common, the failure of old eyes, that might be your greatest contribution of the decade. I look forward to further progress in that department.

I've been informed of your other steps forward, of your ophthalmometron for automatically checking vision. It handles 12 to 15 patients an hour. I know about your delayed-release medicine system for treating glaucoma. I think it is a very practical advance when these delayed-release inserts keep the drug on the eye for a week and put into limbo the older practice of eyedrops four or five times a day. You are getting to the school

children with the ophthalmometron and the elderly with the slow-release inserts.

This is important. Keep the people informed. Keep the advances flowing. Spread them around.

I know that you are taking a good hard look at lens inserts to replace glasses after cataract operations. These intraocular lenses have been around for quite a while. We are told about them in Congressional hearings from time to time. The promise they hold is stupendous—spectacles within the human eye. I know you will carefully evaluate this one. This is certainly another great possibility for an advance that could impinge on the lives of hundreds of thousands of Americans.

As I see it, the eye community is on the verge of real maturity. You have your own institute. I have to be convinced that we need all the institutes that we are asked for. I've said many times at hearings that I expect the next request to be for a left eye institute. Now that you are maturing we need to see a system of vision establishments across the country. We can't have them all in Philadelphia, Los Angeles, and Boston.

They should be utilized, where they now exist, as regional centers. I would expect you to justify your training and some of your other programs on regional needs. Once you begin talking in terms of a system, then we can appropriate according to discreet needs, not just more and more or willy-nilly.

I know that you, yourselves, have done a great deal to create a foundation for the system. Since Research to Prevent Blindness began its research laboratory construction program, the eye research and development space, I am told, has tripled in this country.

Yet, I am an occasional eye patient. I know how much remains to be done. I have friends in Pennsylvania who have shown me a couple of statistics on diabetic retinopathy. They sometimes claim that our population is getting older, more diabetic, and I suppose they would say, more retinopathological. There are jobs to be done.

If we are to create more centers, more trainees, more clinical trials, more of everything, then we need to know the parameters.

That's a big order. You're not going to do it this year or next. But you can do some of it. Your people under Dr. Straatsma have begun the planning. You can keep it up.

You know, I was an actor before I entered the Congress and I have never found a Republican or a Democrat to replace Shakespeare.

But I must say, until I was invited to speak to ophthalmologists, I didn't realize how much Shakespeare had to say about eyes.

Hardly an act he wrote failed to mention eyes. "Love hath twenty pairs of eyes."—He said in one speech, which brought the retort, "They say that love hath not an eye at all."

Shakespeare portrayed the classic fear of blindness at its most poignant when he used an entire scene in King John to illustrate the utmost in brutality with Hubert de Burgh threatening to put out Prince Arthur's eyes with red hot irons.

Hubert is under pressure from others to blind Prince Arthur but shows signs of relenting and the Prince then promises never to reveal it if Hubert fails to blind him.

"Is this your promise," Hubert asks.

The Prince answers, "Hubert, the utterance of a brace of tongues must needs want pleading for a pair of eyes."

Then the Prince offers to have his tongue cut out so that he won't reveal the secret. "Hubert, if you will," he says, "cut out my tongue, so I may keep mine eyes: O! spare mine eyes. . . ."

Well, of course, Arthur was only a prince, not a politician, so maybe that was the proper choice for him. And I am sure it would

be the proper choice for most of the human race. So keep on saving eyes. You are doing a good job.

Good luck to you.

WHAT ARE WE DOING IN ANGOLA?

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, December 15, 1975

Mr. HARRINGTON. Mr. Speaker, with news reports appearing almost daily now which point to major U.S. involvement in the Angolan civil war, many of us in the Congress are experiencing a sinking feeling of here-we-go-again. The leaks and fragments that have appeared so far suggest a classic case of covert intervention, very much on the Laos model.

This time, however, Congress will not have the excuse that we had no way of knowing—the Intelligence Oversight Committees have been briefed and the press is way ahead of the rest of us in ferreting out the particulars. If this no-win contest is allowed to escalate in the shadows as Congress averts its gaze, we will deserve what we get from our constituents when the full cost, in prestige as well as dollars, is computed.

Congressman BONKER and I have announced our intention to introduce amendments to the foreign military aid bill, now being marked up by the International Relations Committee, which would terminate any U.S. contribution to the Angolan conflict. To help apprise my colleagues of the folly of U.S. interference in that country, I am inserting in the Record a perceptive piece of news analysis by David B. Ottaway in Saturday's Washington Post:

KISSINGER SAYS UNITED STATES MUST STOP
SOVIET IN ANGOLA

(By David B. Ottaway)

ADDIS ABABA, December 12.—The Angolan civil war has created for the United States a major challenge not only to its shaky policy of detente with the Soviet Union, but also to its emerging diplomacy toward black Africa.

Having for years relegated this part of the world to the backwaters of American foreign policy, Secretary of State Henry Kissinger has suddenly discovered that Washington has some vital interest at stake in Angola. But much of black Africa does not share his perception of what is at stake there, or who is the main enemy.

Indeed, if Washington is not careful, the United States may end up making many more enemies than friends on the African continent through its growing involvement in the Angolan civil war.

In the first place, the fears and concerns of black Africa are not centered right now on Soviet "penetration" and "colonization" of the continent. For the majority of African leaders, the presence of Soviet and Cubans in Angola is of far less concern than the "penetration" by South Africa for the first time into a black-ruled nation and the presence of hundreds of white mercenaries there.

Washington seems to view Angola primarily as a test of Soviet-American detente and as a bold gambit by Moscow to upset

the East-West power balance in Africa by exploiting American weaknesses after Vietnam and on the eve of a presidential election campaign.

But for most Africans, these are distant and ethereal concerns of the ever-warring superpowers that hold little meaning and even evoke outright anger because they imply that African nations are mere playthings, pieces of real estate, in the Soviet-American game of power politics.

Instead, Angola conjures up among Africans the nightmare of another Congo—of uncontrollable meddling of outside white powers in the internal affairs of a weak and divided newly independent African nation.

Already, the Angolan civil war has brought back to black Africa the plague of white mercenaries. Far worse, to the black nations, it has triggered for the first time the direct intervention of their number one enemy and pariah, white-ruled South Africa. Finally, it has re-ignited the flames of the Cold War struggle among the superpowers for influence, military bases and mineral resources such as black Africa has not witnessed since that much-remembered, disastrous civil war in the Congo (now called Zaïre) 15 years ago.

An unfortunate reality of the Angolan civil war that the United States must deal with is that, for reasons primarily of military necessity, the two adopted "allies" of the West, the National Front for the Liberation of Angola and the National Union for the Total Independence of Angola (UNITA), have called upon the aid of South Africa and of white mercenaries.

They have thus made a pact with the devil, in African eyes, and have tarnished Western nations helping them with guilt by association.

"By seeking aid from South Africa," the African magazine West Africa commented last week, "UNITA and her ally (the National Front) have broken the unwritten rules of pan-Africanism, and their conjuring of the Russian bogey will not avail them much in Africa at least."

The United States is thus in danger of funding itself linked in the African mind with South Africa and of being condemned with it for helping to divide rather than preserve the unity of Angola.

There is already a widespread distrust of American motives and activities in many African quarters today. This has been spurred by recent revelations of U.S. Central Intelligence Agency plotting during the Congo crisis against Congolese leader Patrice Lumumba.

The appointment of Nathaniel Davis early this year as assistant secretary of state for African affairs also aroused African suspicions. Davis is best known in Africa for his presence in Chile during the events that led to the overthrow of President Salvador Allende.

Thus Kissinger's sudden interest in Angola immediately raised suspicions as to the real U.S. motives and purposes in the civil war there. But the American policy dilemma in Angola and black Africa is even more complex.

African states with longstanding close economic or political ties to the United States are seriously divided over which faction to support in the Angolan civil war.

The two giants of black Africa, Nigeria and Zaïre, have lined up on opposite sides. The former is now openly supporting the Soviet-backed Popular Movement for the Liberation of Angola, and the latter is the main African backer of the National Front and UNITA.

With Nigeria now the second most important source of foreign oil for the United States, Washington obviously has little interest in alienating it. But it risks doing just

this by choosing to back openly the allied forces of UNITA and National Front.

At the same time, the United States does not want to antagonize Zaïre, where there is huge American private investment and for which the Ford administration is currently proposing an \$80 million economic and military assistance package, the largest for any Black African nation.

Furthermore, Zaïre has the support of a number of moderate African states, including Zambia, Gabon, the Ivory Coast and Senegal, for its policy of backing the two moderate Angolan nationalist groups against the more radical, Soviet-supported one.

A possible way out of this African policy dilemma for the United States might lie with the Organization of African Unity, which is scheduled to hold a special summit conference on the Angolan crisis in Addis Ababa Dec. 19.

Conceivably, African leaders might agree to put pressure collectively on both the Soviet Union and the United States to get out of the arms business in Angola and let the contending nationalist groups settle their own affairs without outside interference.

This would have the advantage of taking Washington off the spot regarding the escalation of its involvement, and of removing Angola as a bone of contention in Soviet-American relations.

But the chances of this happening seem slim, and the chances of such a demarche succeeding, even if attempted, even slimmer.

Already, about 13 African states have come out in open support for the Popular Movement in Luanda, and several others are leaning in its direction. No African country has yet recognized the opposing government of the National Front and UNITA in Huambo.

About the only thing the African organization is likely to agree on is the condemnation of South Africa's intervention in Angola. This will amount to an indirect vote of no confidence in UNITA and the National Front which have allowed South Africa in and have used its military assistance.

Thus, the United States is likely to find itself faced shortly with an African continent increasingly sympathetic to the Popular Movement and understanding of Soviet military aid to it. Under these circumstances, the growing American involvement in the Angolan civil war in support of the National Front and UNITA could seriously jeopardize Washington's relations with a majority of African states.

Whether Angola would be worth the enmity of a large bloc of African nations toward the United States is perhaps the key issue for U.S. policy makers in deciding the direction of American policy in Angola now.

PERSONAL ANNOUNCEMENT

HON. MARTHA KEYS

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, December 15, 1975

Ms. KEYS. Mr. Speaker, on Friday, December 12, I was unavoidably absent from the House.

Had I been present, I would have voted on matters coming before the House as follows:

"Yea" on rollcall No. 776, the conference report to accompany H.R. 8122, Public Works appropriations.

"Yea" on rollcall No. 777, the conference report to accompany H.R. 9861, Department of Defense appropriations.

December 16, 1975

CONGRESSIONAL RECORD — SENATE

S 22253

no people. Indeed, funds have been spent for education, but there are no students. In point of actual fact, Mr. President, there is no Soul City—just an expanse of bare land that has been somewhat tarnished by the most massive, wasteful boondoggle anyone in that area can remember.

As noted earlier, one of the nine organizations associated with the project is HealthCo, Inc. And, as also noted earlier, like the other organizations it reflects the interlocking relationship that exists with other of Mr. McKissick's organizations. Clearly, there have been some problems with HealthCo. Its stated purpose is to provide health-care services to residents of Warren and Vance Counties. In August 1974, when it opened, the HealthCo clinic treated an average of seven patients a day.

By May 1975, the clinic was treating 31 patients a day, which workload remained constant through August 1975. In August 1975, with such a patient load, the patient-visit cost was about \$44, after deducting fees collected from patients and third-party payments. The GAO report advises that this cost resulted from the clinic's staffing level, which consists of 2 full-time doctors and 1 full-time dentist, 2 family-nurse practitioners, and 18 other employees in support and administrative jobs. In all, the clinic has 23 employees to serve 31 patients per day.

The regional Administrator told GAO that one problem with HealthCo had been the organization's attitude. He said that the emphasis seemed to be on employing people rather than achievements. Other Public Health Service Officials assessed HealthCo's performance as poor, considering the amount of money spent—about \$760,000 as of December 31, 1974—and the length of time the organization has been in existence—about 30 months. The official attributed HealthCo's poor performance to: First, lack of clearly defined program goals and objectives and second, ineffective management.

The regional Administrator of the Public Health Service was even more candid. He stated that the lack of continuity of employees in key positions and Mr. McKissick's influence on HealthCo's operations adversely affected management's capability to perform effectively. As an example of this interference, he referred to a letter dated July 21, 1974, from Mr. McKissick to the then executive director in which Mr. McKissick expressed his concern over the executive director's failure to:

1. Use the services of an insurance company which committed \$750,000 to the Soul City Foundation for building Soultech 1 and which has a representative on the board of directors of Floyd B. McKissick Enterprises, Inc. Additionally, the insurance company had an interlocking board with a bank which was a financial backer of Soul City.

2. Purchase vehicles from dealers that were friendly to Soul City.

3. Employ, as promised, the wife of the General Manager of The Soul City Company.

Additionally, CPA and HEW audits of HealthCo raised questions regarding costs related to: First, improper control over travel advances and expenses paid to employees; second, salaries and wages

in excess of budgeted amounts; and third, penalty and interest payments to the Internal Revenue Service for late payment of taxes in 1973 and 1974.

Finally, the Public Health Service in its review of grant proposals for HealthCo stated that—

1. It appeared that the level of funding for the project did not coincide in any way with what had been or should have been the goals and objectives of the program which were ambiguous and for the most part nonexistent.

2. It was high time that HealthCo seriously considered divorcing itself from the Soul City Foundation and McKissick Enterprises and got on with the business at hand. If that could not be done physically, then it should be done programatically.

3. The financial base, number of patients treated, and those projected did not indicate sufficient need nor warrant an expenditure for a permanent facility at that stage of the program.

The initial HealthCo grant provided for constructing a permanent health-care facility to contain about 16,000 square feet of space. Among its other unusual achievements, HealthCo imported a medical director from Jamaica to Soul City. If that is not enough, the Public Health Service disallowed the costs given him for travel expenses from Jamaica to Miami, Fla.—the port of entry. The medical director appealed PHS's decision, and as of July 1, the appeal was still pending.

In passing, let me note that the National Endowment of the Arts gave the Soul City Foundation \$22,120 between January, 1973 and July, 1974 to plan and develop a long range cultural arts program. NEA's normal monitoring procedures includes making site visits to ensure that the grant funds are being spent for grant-related programs. As of July, 1975, NEA had not made any site visits to the Soul City Foundation. Additionally, NEA has not audited its grants to the Soul City Foundation. NEA officials told GAO that they selected for audit only those grants with a large dollar amount and those which had received adverse publicity. The official further stated that, although Soul City had received some adverse publicity, none of it related to the NEA grants, and NEA did not plan to audit the grants. Today, I sent a letter to Ms. Nancy Hanks, Chairman of the National Endowment of the Arts, advising her of the high level of unlawful transactions associated with Soul City. In that letter, I suggested that NEA might wish to reconsider its decision regarding an audit. In my view, that would be a minimum level of prudence.

Perhaps the most flagrant administrative abuses within the Federal Government in connection with Soul City grants occurred in the Office of Economic Opportunity—now the Community Services Administration of HEW. Since CSA assumed responsibility of the OEO grants, the audit report speaks in terms of CSA, even though many of the abuses mentioned no doubt occurred during OEO's tenure. Of the six grants CSA—or OEO—awarded, two were not processed according to normal review and approval procedures. Because of inadequate

documentation, GAO could not determine if normal review and approval procedures were followed for three other grants.

According to a CSA headquarters official, in one instance the former CSA director had directed that a proposed grant in the amount of \$502,875 be approved and funded even though the proposal had not progressed through the review and approval process. CSA regional office officials told GAO that another grant submitted by the Soul City Foundation to CSA headquarters was, in turn, referred to the Atlanta regional office for review and recommendation. However, GSA headquarters told the region that its allotment was being increased by \$93,000 to fund the proposal.

Additionally, regional officials said that the Franklin-Vance-Warren Community Action Agency was responsible for monitoring the performance of the grant awarded by the region and that the only monitoring of the Soul City Foundation by CSA would be through its monitoring of the community action agency's performance. I have today written to the Secretary of the Department of Health, Education, and Welfare, inquiring as to whether in the light of the GAO report he feels that CSA should reconsider its stated monitoring policy regarding Soul City.

Mr. President, the list goes on. Indeed, I have a HUD grant notification dated December 15, 1975, to the Soul City Co. in the amount of \$445,775. And, the GAO report consists of 96 pages. The tangled web of interlocking, nepotistic organizations that comprise Soul City is revealed. The GAO report failed to indicate a violation of conflict of interest provisions, but it did in large part validate the allegations contained in the News and Observer editorial and the research of a very fine and meticulous investigative reporter. I have forwarded a copy of the GAO report to the Attorney General with the request that he have the appropriate officials within the Justice Department review the conclusions of law contained therein. I am not an attorney, and I do not know what, if anything, that review will disclose. But, whatever the result, an obvious fact will remain—Soul City is suspected by many citizens of my State to be the greatest single waste of public money that anyone in North Carolina can remember. It is based upon concepts developed out of an intellectually and morally bankrupt doctrine—a doctrine that suggests that enough money thrown at any problem will make it go away, or thrown in similar fashion at any proposal will make it happen.

It just does not work that way. There really is no such thing as a free lunch. Somebody must pay the price. The taxpayers of my State are quite certain that they know who that "somebody" is.

ROUTINE MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of routine morning business not to exceed 15 minutes, with statements therein limited to 5 minutes each.

S 22254

CONGRESSIONAL RECORD — SENATE

December 16, 1975

FOREIGN ASSISTANCE ACT OF 1975—
S. 2662

AMENDMENT NO. 1291

Mr. EAGLETON. Mr. President, recent administration testimony concerning the CIA's legal authority to conduct covert actions and our activities in Angola serve to highlight the need to assure that the War Powers Resolution covers paramilitary operations.

CIA Director William Colby, in testimony before the House Intelligence Committee on December 12, acknowledged the paramilitary nature of his agency's activities in Angola, although he described those activities as "modest." Subsequent press reports—some apparently the result of explanatory leaks from the administration—have indicated that "not more than five U.S. agents" are on the ground in Angola "to relay reports about the military and political situation." Another report states that the United States has supplied five "artillery spotter planes" piloted by Americans.

Mr. Colby testified that this "modest" operation was permitted under the war powers resolution because "paramilitary operations were stricken from the act." Mr. Colby is correct on this point. My own amendment to include civilian combatants as well as uniformed Armed Forces under the war powers resolution was rejected by the Senate—see CONGRESSIONAL RECORD of July 20, 1973, pages S25079–S25092.

But should not Congress—the branch given primary responsibility under the Constitution for authorizing the involvement of the United States in hostilities—insist on its right to approve paramilitary operations? Should we have to hear the details of such operations, no matter how "modest," by controlled leaks to the press?

If the five pilots and five agents reported to have entered the hostilities in Angola were U.S. military instead of CIA civilian personnel, the President would be obliged, under section 4(a) (1) of the war powers resolution, to report that fact to Congress. In addition, if no action were taken within 90 days to authorize their activities, they would have to be withdrawn.

That is the formula of the war powers resolution as it applies to military personnel.

It is not a formula I endorse since I feel it contradicts the constitutional design—the design that says Congress gives its authority prior to our involvement in hostilities.

Yet the 90-day formula was written with our Vietnam experience in mind. It was written as a reaction to the difficulty Congress had in ending that interminable war. We wanted a mechanism to automatically terminate an unauthorized war.

But the war powers resolution has a gaping loophole which is now being used by President Ford to involve the United States in hostilities in Angola in much the same way we initially fell into the mire of Southeast Asia. Just as President Eisenhower used civilian pilots in 1958 to bomb anti-Sukarno rebels in Indonesia—just as President Kennedy in 1961 allowed

the CIA to train an army and lead the invasion of Cuba at the Bay of Pigs—just as Presidents Johnson and Nixon waged a secret war in Laos without congressional consent, President Ford is now using CIA personnel in a paramilitary operation in Angola.

Some difficult questions have to be asked and presumably answered before our Angola policy can be assessed.

What is the nature of our involvement in Angola? What are the tactical and strategic implications? Is it sound policy to become embroiled in an African war, especially after having virtually ignored Africa for 6 years?

Is it wise to ally ourselves in this venture, even indirectly, with South Africa? Are the deepwater ports of Angola and the shipping lanes off its coast important enough to our national interests to warrant our involvement in a war?

Is our Angola intercession driven more by a feeling that détente will not work if the Soviets are allowed to move into previously neutral or pro-West areas? Is the other side of the détente coin the more familiar "containment" strategy of the fifties?

What is the nature of the administration debate over Angola which reportedly resulted in the resignation of the Assistant Secretary for African Affairs, Mr. Nathaniel Davis? Was Mr. Davis in fact advocating a policy of exposing Soviet imperialism through diplomacy rather than adopting Soviet techniques?

Mr. President, many in Congress will no doubt feel that our "modest" paramilitary operation is needed—that the risks are not as great as they might appear at first blush * * * that the deepwater ports of Angola and the protection of shipping lanes from the Persian Gulf are important enough to warrant an even greater involvement by the United States.

It is entirely possible that I could be persuaded to this point of view. But what is important now is that Congress be given an opportunity to debate these issues. What is important is that Congress have a say in matters involving war and peace. What is important is that Congress, after carefully considering the risks, either authorize or stop our involvement in Angola.

Mr. President, the legal implications of our inaction on this matter are as important as would be whatever corrective actions we might take. Thus far, Congress' desire to limit CIA covert operations has created a Catch-22 situation. We attempt to limit certain activities and the administration turns right around to cite the limiting provision as authority for that which is being limited.

For example, Mr. Mitchell Rogovin, special council to the Director of Central Intelligence, testified on December 9 before the House Intelligence Committee that the President not only possessed "inherent" powers to conduct paramilitary operations, but that Congress implicitly "acknowledged" this "inherent constitutional authority" in the war powers resolution.

Mr. Rogovin cited section 3 of the resolution which states that the President should "in every possible instance" con-

sult with Congress "before introducing U.S. Armed Forces into hostilities." He then goes on to cite section 8(d) (1) which states that the war powers resolution is not intended to "alter the constitutional authority" of the President or Congress.

Referring only to those two sections, Mr. Rogovin then offers his penultimate conclusion:

If the President has the power to dispatch troops to foreign countries and to use military force short of war (the term "war" is used by Mr. Rogovin to mean all-out, declared war)—and the foregoing discussion clearly demonstrates that he does—than it would logically follow that he has the power to send civilian personnel to foreign countries to engage in covert action (under which general category Mr. Rogovin includes covert paramilitary operations) . . .

Mr. President, those now considering legislative reforms in the intelligence area will find Mr. Rogovin's testimony interesting for its Orwellian logic. He in effect says that Presidents have an inherent authority to conduct covert actions—an untouchable constitutional power recognized in the war powers resolution. If you follow Mr. Rogovin's argument to its logical conclusion, he is saying that Congress cannot enact a statute outlawing covert actions—that such a statute would unconstitutionally infringe upon the President's "inherent" powers. Such a proposition is frankly preposterous.

Not so preposterous, however, are Mr. Rogovin's and Mr. Colby's assertions that the war powers resolution does not require the President to report the involvement of CIA or contract personnel in hostilities. Consider the following exchange between Chairman PIKE of the House Intelligence Committee and Mr. Rogovin:

Chairman PIKE. Mr. Rogovin, you cite the War Powers Act in your testimony as imposing certain limitations on the presidency. The War Powers Act involves the use of American Armed Forces. Would you deem the CIA to be a part of the American Armed Forces?

Mr. ROGOVIN. No sir.

Chairman PIKE. So that in your view of the law there would be nothing to prevent the CIA from hiring individuals to fight a war without the approval required by the War Powers Act?

Mr. ROGOVIN. That is correct. That legislation would not inhibit (it) . . . all the War Powers Resolution does is require the President to consult with Congress before introducing armed servicemen into hostilities.

Mr. President, when I urged the Senate to broaden the coverage of the war powers resolution to encompass combatants, I warned that failure to do so might encourage future Presidents to resort to paramilitary operations to avoid the reporting requirements for uniformed forces—see CONGRESSIONAL RECORD, May 21, 1975, page S8826.

Today in Angola we are participating in a hostile action—in a situation which would be covered by the war powers resolution if military instead of civilian personnel were being used. And, because of the loophole we left in the law, Congress has been excluded from the decisionmaking process.

It should make no difference whether the five American pilots reported to be flying artillery spotter missions in Angola are civilian or military. That is a combat function being performed in a hostile area at the direction of the President of the United States.

It should make no difference that the five agents on the ground in Angola are wearing seersucker suits instead of Army fatigues. They have been introduced into hostilities by the President of the United States. And, if they were military personnel, their presence in the midst of the Angola fighting would have been reported to Congress as required by the war powers resolution.

American involvement in hostilities, no matter how minor, should be a matter for Congress and the President to decide together. Our Angola adventure may be limited now, but the exigencies of maintaining those whom we support could well lead to deeper involvement. Whether that involvement is paramilitary or military in nature, Congress should participate in the decision. Congress should decide whether to stay in or get out.

Mr. President, I am introducing an amendment today to the Foreign Assistance Act soon to be considered by this body. The amendment is a provision of a bill I have introduced to amend the war powers resolution. It would circumscribe the President's use of American or contract civilian combatants in the same manner uniformed Armed Forces are now covered by the law.

Under the amendment a President would be required—as he is now required in the case of uniformed forces—to report the involvement of civilians, whether directly or as advisors, within 48 hours after their introduction into a hostile situation. Clearly, if this provision were now a part of the war powers resolution, we would not be scurrying around trying to find out the exact nature of our involvement in Angola.

Mr. President, the war powers resolution as it is written today unintentionally encourages a President to use covert civilian combatants in lieu of uniformed personnel. And unless we quickly close this obvious loophole, our Angola involvement will represent the precursor for a new type of presidential war—a war fought secretly with plainclothes soldiers and hired mercenaries.

I thank the Chair.

MESSAGES FROM THE HOUSE

At 10:55 a.m., a message from the House of Representatives delivered by Mr. Hackney, one of its reading clerks, announced that the House has passed without amendment the bill (S. 2757) to extend until April 30, 1976, the authority of the National Commission for the Review of Federal and State Laws Relating to Wiretapping and Electronic Surveillance.

The message also announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 5541) to provide for emergency relief for

small business concerns in connection with fixed-price Government contracts.

The message further announced that the House has passed the bill (H.R. 1547) to amend title 38 of the United States Code in order to extend medical benefits to the survivors of any veteran who at the time of death was suffering from a total and permanent service-connected disability, in which it requests the concurrence of the Senate.

ENROLLED BILLS SIGNED

At 11:49 a.m., a message from the House of Representatives delivered by Mr. Hackney announced that the Speaker has signed the following enrolled bills:

S. 2757. An act to extend until April 30, 1976, the authority of the National Commission for the Review of Federal and State Laws Relating to Wiretapping and Electronic Surveillance.

H.R. 1753. An act to amend section 141 of title 13, United States Code, to provide for the transmittal to each of the several States of the tabulation of population of that State obtained in each decennial census and desired for the apportionment or districting of the legislative body or bodies of that State, in accordance with, and subject to the approval of the Secretary of Commerce, a plan and form suggested by that officer or public body having responsibility for legislative apportionment or districting of the State being tabulated, and for other purposes.

H.R. 2110. An act for the relief of Joyce Ann Farrior and Sarah E. Farrior.

H.R. 4865. An act to amend title 39, United States Code, to prohibit certain franked mailings by Members of the Congress and certain officers of the United States, other than mailings related to the closing of their official business, after such Members or officers have left office.

H.R. 6642. An act to provide for allotment or assignment of payments from civil service annuities, and for other purposes.

H.R. 7976. An act to amend title 5, United States Code, to provide that annual leave lost by a Federal employee because of an unjustified or unwarranted personnel action shall be restored to the employee, and for other purposes.

H.R. 10647. An act making supplemental appropriations for the fiscal year ending June 30, 1976, and the period ending September 30, 1976, and for other purposes.

The enrolled bills were subsequently signed by the President pro tempore.

At 12:25 p.m., a message from the House of Representatives delivered by Mr. Berry, one of its reading clerks, announced that the House disagrees to the amendments of the Senate to the bill (H.R. 5559) to amend section 883(a) of the Internal Revenue Code to provide for exclusion of income from the temporary rental of railroad rolling stock by foreign corporations; agrees to the conference requested by the Senate on the disagreeing votes of the two Houses thereon; and that Mr. ULLMAN, Mr. MILLS, Mr. BURKE of Massachusetts, Mr. ROSTENKOWSKI, Mr. LANDRUM, Mr. SCHNEEBELI, and Mr. CONABLE were appointed conferees on the part of the House.

The message also announced that the House disagrees to the amendments of the Senate to the bill (H.R. 10624) to revise chapter IX of the Bankruptcy Act; agrees to the conference requested by the Senate on the disagreeing votes

of the two Houses thereon; and that Mr. EDWARDS of California, Mr. SEIBERLING, Mr. DRINAN, Mr. BADILLO, Mr. DODD, Mr. BUTLER, and Mr. KINDNESS were appointed managers of the conference on the part of the House.

The message further announced that the House insists upon its amendments to the bill (S. 2554) to amend Public Law 93-107 with regard to the broadcasting of certain professional sports clubs' games; requests a conference with the Senate on the disagreeing votes of the two Houses thereon; and that Mr. STAGGERS, Mr. MACDONALD of Massachusetts, Mr. MURPHY of New York, Mr. CARNEY, Mr. BYRON, Mr. FREY, and Mr. MADIGAN were appointed managers of the conference on the part of the House.

The message also announced that the House has passed the following bills in which it requests the concurrence of the Senate:

H.R. 2735. An act to amend title 38 of the United States Code in order to provide for an annual investigation by the Administrator into the cost of travel by veterans to Veterans' Administration facilities and to set rates therefor, and for other purposes;

H.R. 3035. An act to require the payment of interest in certain funds of the United States held on deposit in commercial banks, to provide for reimbursement of commercial banks for services performed for the United States, and for other purposes;

H.R. 8304. An act to amend the national reading improvement program to provide more flexibility in the types of projects which can be funded, and for other purposes;

H.R. 9348. An act to name a building in Temple, Texas, as the "W. R. Foage Federal building";

H.R. 10268. An act to amend title 38 of the United States Code in order to clarify the purposes for which the Administrator of Veterans' Affairs may release the names and addresses of present and former personnel of the armed services and their dependents;

H.R. 10394. An act to amend title 38 of the United States Code to promote the care and treatment of veterans in State veterans' homes;

H.R. 11016. An act to extend the Renegotiation Act of 1951 for six months; and

H.R. 11045. An act to amend the Rehabilitation Act of 1973 to extend the authorizations of appropriations contained in such Act.

At 1:45 p.m., a message from the House of Representatives delivered by Mr. Hackney announced that the House has rejected the report of the committee of conference on the disagreeing votes of the two Houses on amendment of the Senate to the amendments of the House to the bill (S. 622) to provide standby authority to assure that the essential energy needs of the United States are met, to reduce reliance on oil imported from insecure sources at high prices, to implement U.S. obligations under international agreements to deal with shortage conditions, and to authorize and direct the implementation of Federal and State conservation programs consistent with economic recovery.

The message also announced that the House has receded from its disagreement to the amendment of the Senate to the amendments of the House to the bill (S. 622), supra, and concurs therein

S 22256

CONGRESSIONAL RECORD — SENATE

December 16, 1975

with an amendment in which it requests the concurrence of the Senate.

At 5:55 p.m., a message from the House of Representatives delivered by Mr. Hackney announced that the House has passed the bill (H.R. 3529) to establish improved programs for the benefit of producers and consumers of rice, in which it requests the concurrence of the Senate.

The message also announced that the House has passed without amendment the following bills:

S. 848. An act to amend section 2 of the National Housing Act to increase the maximum loan amounts for the purchase of mobile homes; and

S. 1922. An act to amend the act of July 7, 1970 (84 Stat. 409) to authorize appropriations to the Secretary of the Interior without reference to the agencies involved.

The message further announced that the House has agreed to, without amendment, the concurrent resolution (S. Con. Res. 62) making apportionment of funds for the National System of Interstate and Defense Highways.

PETITIONS

The ACTING PRESIDENT pro tempore (Mr. STONE) laid before the Senate the following petitions, which were referred as indicated:

A resolution adopted by the Board of Supervisors of Santa Barbara County, California, urging support of S. 327; to the Committee on Interior and Insular Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MOSS, from the Committee on Commerce, with amendments, and an amendment to the title:

S. 642. A bill to amend the Federal Trade Commission Act to authorize certain State and local officials to enforce certain rules promulgated by the Federal Trade Commission, and for other purposes (Rept. No. 94-564).

By Mr. HANSEN, from the Committee on Interior and Insular Affairs, with amendments:

S. 209. A bill for the relief of Willard H. Allen, Junior, and Nicole J. Allen (Rept. No. 94-566).

By Mr. METCALF, from the Committee on Interior and Insular Affairs, with amendments:

S. 2371. A bill to provide for the regulation of mining activity within, and to repeal the application of mining laws to, areas of the National Park System, and for other purposes (together with minority views) (Rept. No. 94-567).

By Mr. HARTKE, from the Committee on Veterans' Affairs, with an amendment:

H.R. 10355. An act to amend title 38 of the United States Code to liberalize the provisions relating to payment of disability and death pension and dependency and indemnity compensation, to increase income limitations, and for other purposes (Rept. No. 94-568).

By Mr. METCALF, from the Committee on Interior and Insular Affairs, with an amendment, and an amendment to the title:

S. 392. A bill to designate certain lands in the Flathead and the Lewis and Clark National Forests in Montana as wilderness (Rept. No. 94-569).

By Mr. LONG, from the Committee on Finance, without amendment:

H.R. 9968. An act to amend section 103 of the Internal Revenue Code of 1954 with respect to certain obligations used to provide irrigation facilities (Rept. No. 94-570).

By Mr. PROXMIRE, from the Committee on Banking, Housing and Urban Affairs, without amendment:

H.R. 8151. An act to authorize the President of the United States to present in the name of Congress, a medal to Brig. Gen. Charles E. Yeager (Rept. No. 94-565).

Mr. PROXMIRE. Mr. President, from the Committee on Banking, Housing and Urban Affairs, I report favorably a bill (H.R. 8151) to authorize the President of the United States to present in the name of Congress a medal to Brig. Gen. Charles E. Yeager for his accomplishments with the XS-1 and for being the first man to fly an aircraft faster than the speed of sound, and I submit a report thereon.

The PRESIDING OFFICER. The report will be received and printed.

HOUSE BILLS REFERRED

The following bills were read twice by their titles and referred as indicated:

H.R. 1547. An act to amend title 38 of the United States Code in order to extend medical benefits to the survivors of any veteran who at the time of death was suffering from a total and permanent service-connected disability; to the Committee on Veterans' Affairs.

H.R. 2735. An act to amend title 38 of the United States Code in order to provide for an annual investigation by the Administrator into the cost of travel by veterans to Veterans' Administration facilities and to set rates therefor, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 3035. An act to require the payment of interest on certain funds of the United States held on deposit in commercial banks, to provide for reimbursement of commercial banks for services performed for the United States, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 9348. An act to name a building in Temple, Texas as the "W. R. Poage Federal Building"; to the Committee on Public Works.

H.R. 10268. An act to amend title 38 of the United States Code in order to clarify the purposes for which the Administrator of Veterans' Affairs may release the names and addresses of present and former personnel of the armed services and their dependents; to the Committee on Veterans' Affairs.

H.R. 10394. An act to amend title 38 of the United States Code to promote the care and treatment of veterans in State veterans' homes; to the Committee on Veterans' Affairs.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that today, December 16, 1975, he presented to the President of the United States the enrolled bill (S. 2757) to extend until April 30, 1976, the authority of the National Commission for the Review of Federal and State Laws Relating to Wiretapping and Electronic Surveillance.

HOUSE BILL PLACED ON CALENDAR

The bill (H.R. 8529) to establish improved programs for the benefit of

producers and consumers of rice, was read twice by its title and placed on the Calendar.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first time and, by unanimous consent, the second time, and referred as indicated:

By Mr. FANNIN (for himself, Mr. BROCK, Mr. CURTIS, Mr. EASTLAND, Mr. FONG, Mr. GOLDWATER, Mr. HANSEN, Mr. HELMS, Mr. HRUSKA, Mr. LAXALT, Mr. MCCLURE, and Mr. THURMOND):

S. 2792. A bill relating to the promulgation of rules and regulations by agencies of the United States. Referred to the Committee on the Judiciary.

By Mr. BUCKLEY:

S. 2793. A bill to provide for the establishment of a national cemetery on Long Island, N.Y. Referred to the Committee on Veterans' Affairs.

By Mr. WILLIAM L. SCOTT:

S. 2794. A bill for the establishment of a National Cemetery at Quantico, Va. Referred to the Committee on Veterans' Affairs.

By Mr. BARTLETT:

S. 2795. A bill to amend the Hobbs Act to provide for penalties for the damages to employers. Referred to the Committee on the Judiciary.

By Mr. BUCKLEY:

S. 2796. A bill to amend title 3, United States Code, to provide for the protection of foreign diplomatic missions, to increase the size of the Executive Protective Service, and for other purposes. Referred to the Committee on Public Works.

By Mr. BENTSEN:

S. 2797. A bill to amend title 39, United States Code, in order to provide free postage for voter registration materials and non-partisan voter information for those States and other political subdivisions subject to the provisions of Section 4(a) and Section 203 of the Voting Rights Act. Referred to the Committee on Post Office and Civil Service.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. FANNIN (for himself, Mr. BROCK, Mr. CURTIS, Mr. EASTLAND, Mr. FONG, Mr. GOLDWATER, Mr. HANSEN, Mr. HELMS, Mr. HRUSKA, Mr. LAXALT, Mr. MCCLURE, and Mr. THURMOND):

S. 2792. A bill relating to the promulgation of rules and regulations by agencies of the United States. Referred to the Committee on the Judiciary.

REGULATORY REFORM ACT

Mr. FANNIN. Mr. President, I am pleased to introduce today on behalf of myself and Mr. BROCK, Mr. CURTIS, Mr. EASTLAND, Mr. FONG, Mr. GOLDWATER, Mr. HANSEN, Mr. HELMS, Mr. HRUSKA, Mr. LAXALT, Mr. MCCLURE, and Mr. THURMOND, a bill relating to the promulgation of rules and regulations by Federal agencies. This legislation, to be known as the Regulatory Reform Act, is designed to cure many of the most common and most frequently complained of problems which businessmen and consumers encounter in dealing with Government regulatory agencies. Perhaps it should more properly be called the Consumers' Cost Reduction and Relief Act because I believe it will, if enacted, eliminate many of the